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THE
NUISANCES REMOVAL

AND
DISEASES PREVENTION ACTS,

1848 and 1849;

(11 & 12 VICT. c. 123, and 12 & 13 VICT. c. 111,)

TOGETHER WITH

An Analysis,

THE ORDERS IN COUNCIL, CIRCULARS OF THE POOR LAW
COMMISSIONERS,

AND

Sanitary Regulations of the General Board of Health.

BY

THOMAS WILLIAM SAUNDERS, Esq.,

Of the Middle Temple, Barrister-at-Law.

Second Edition.



London :

LAW TIMES OFFICE, 29, ESSEX STREET, STRAND.

1849.

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Strand.

P R E F A C E.



No measure of the past session of Parliament is deserving of greater commendation than that which is the subject of the following pages. Comprehensive in its object, convenient in its machinery, and complete in its details, it is an Act which, whilst it will fully carry out the excellent objects it has in view, reflects the greatest credit upon those by whose labour it has been brought into existence.

An endeavour has been made, by the Introduction to the present edition, to explain to the general and unprofessional reader, in a plain and simple manner, the precise scope and object of the Act itself, to the end that he may, without having recourse to the assistance of a legal man, properly comprehend those provisions which the necessary technicality of the Act itself renders, to all but lawyers,

somewhat obscure and uncertain. In furtherance of this object, also, and to draw more particularly to the Act the attention of the various Boards of Guardians by whom chiefly it will have to be enforced, the Poor Law Commissioners have issued a most explanatory and convenient Circular (to be found at page 20), which all persons interested in the Act will do well to peruse with attention.

Since the greater part of this volume was printed off, the highly important Circular of the General Board of Health of October the 31st was promulgated, which, nevertheless, will be found entire at page 26c.

The Act itself has been given *verbatim*, and it is hoped that, with the addition of a comprehensive Index, the present volume will be deemed of service to those who desire to consult its pages.

T. W. S.

1, CLOISTERS, TEMPLE,
Nov. 1848.

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AN
ANALYSIS
OF THE
NUISANCES REMOVAL AND DISEASES
PREVENTION ACT, 1848.

[11 & 12 VICT. c. 123, passed 4th September, 1848.]

THIS enactment, after reciting that the 9 & 10 Vict. c. 96, (for the more speedy removal of certain nuisances, and to enable the Privy Council to make regulations for the prevention of contagious and epidemic diseases) will expire at the end of the session (1848), and that it is necessary to make other provision in lieu thereof, proceeds to enact a number of provisions with the view of accomplishing these desirable objects.

11 & 12 VICT.
c. 123.

Power of certain public bodies, upon receipt of notice from householders of the existence of certain nuisances, to enter premises, &c.—Upon receipt by the town council, trustees or commissioners for drainage, paving, lighting, cleansing, or managing, or directing the police of any city, town, borough, or place, or by any other body of the like nature, or by any Commissioners of Sewers or Guardians of the Poor, or, in Ireland, by the officers of health of any parish, of a notice in writing, in the form contained in the schedule (A.) or to the like effect, signed by two or more inhabitant householders of the parish or place to which the notice relates, stating that to the best of

11 & 12 Vict.
c. 123.

their knowledge and belief, any dwelling-house or building, in any city, town, &c., within or over which the jurisdiction or authority of the town council, trustees, &c., or other body to whom such notice is given, extends, is in such a filthy and unwholesome condition as to be a nuisance to or injurious to the health of any person; or that upon premises within such jurisdiction or authority there is any foul and offensive ditch, gutter, drain, privy, cesspool, or ash-pit, or any ditch, gutter, drain, privy, cesspool, or ashpit kept or constructed so as to be a nuisance to or injurious to the health of any person, or that upon any such premises, swine, or any accumulation of dung, manure, offal, filth, refuse, or other matter, or thing, are or is kept so as to be a nuisance to or injurious to the health of any person, or that upon any such premises (being a building used wholly or in part as a dwelling-house), or being premises underneath any such building, any cattle or animals are kept so as to be a nuisance to, or injurious to the health of any person, such town council, trustees, &c., or some committee thereof which may be appointed for the purpose, shall, after twenty-four hours' notice in writing, by delivering the same to some person on the premises referred to in the first-mentioned notice, or (if there be no person upon the premises who can be so served) by fixing the same upon some conspicuous part of the premises, or (in case of emergency, without notice) by themselves, their servants or agents with or without medical or other assistants, enter such premises, and examine the same with respect to the matters alleged in such first-mentioned notice, and do all such works, matters, and things, as may be necessary for that purpose. (a)

It will be observed that the notice necessary to set

the public functionaries in motion, must be signed by two or more inhabitant householders of the parish or place to which it relates; and the notice itself must be given to that body which has jurisdiction over the locality in which the objectionable premises are situated, that is to say, jurisdiction *in the particular matter* in the locality; thus, in a corporate borough where there are both a town council and commissioners for drainage, &c., the notice would properly be to the latter if they have local jurisdiction.

11 & 12 Vict.
c. 123.

SCHEDULE (A.)

Notice by Householders.

To the Town Council of the borough of [or Guardians of the Poor of the union or the parish of in the county of or as the case may be; or, in Scotland, to the Procurator Fiscal of the county of or to the Procurator Fiscal or Dean of Guild of the burgh of or to the Procurator Fiscal of the justices of the county of or to the Inspector of the poor of the parish of or as the case may be.]

WE, the undersigned inhabitants [or in Scotland householders] of [insert the parish or place] and residing at in [insert the parish or place before mentioned] aforesaid, do hereby give you notice, that to the best of our knowledge and belief a dwelling-house [or building] situate at No. in street in aforesaid [or such other description as may be sufficient to identify the premises] is in such a filthy and unwholesome condition as to be a nuisance to [or injurious to the health of] A. B. or as the case may be, [or that upon certain premises situate at [inserting such a description as may be sufficient to identify the premises] there is a foul and offensive drain, ditch, gutter, privy, cesspool, or ashpit, or a drain, &c., kept or constructed so as to be a nuisance to us, or to the occupiers of the premises adjoining the premises aforesaid, or as the case may be, or that upon certain premises situate at, &c., swine, or an accumulation of dung, manure, offal, filth, refuse, or matter, or as the case may be, are or is kept so as to be injurious to our health, or to the health of A. B., or of the occupiers of the premises adjoining the premises, aforesaid, or of persons living in the neighbourhood, or of the persons living in the premises aforesaid, as the case may be, or that upon certain premises, &c., swine, &c. are

11 & 12 Vict. kept so as to be a nuisance to us, &c. *as the case may be*].
 c. 123. And we hereby require that you will cause such proceedings to
 be taken as are directed in this behalf by the "Nuisances Re-
 moval and Diseases Prevention Act, 1848."

Dated this day of one thousand eight
 hundred and

A.B.
 C.D.

Notice of an intention to examine Premises.

THIS is to give notice, that we the undersigned
 [according to the nature of the body to whom the notice has
 been given] having received a notice dated the day of
 from certain inhabitant householders of the parish of
 that to the best of their belief a dwelling-house
 [as the case may be, following the terms in the notice from
 the inhabitants,] we shall, on the day of
 [some time more than twenty-four hours after the
 giving of this notice,] by ourselves, our servants or agents,
 with or without medical or other assistants, enter such premises
 and examine the same with respect to the matters alleged in
 such notice, and do all [such works, matters, and things as may
 be necessary for that purpose, pursuant to the provisions of "The
 Nuisances Removal and Diseases Prevention Act, 1848."

Dated this day of one thousand eight
 hundred and

To the owner and occupier of } [To be signed or sealed
 the premises above mentioned. } according to the nature
 of the body by whom it
 is given.]

*Examination of the premises and proceedings there-
 upon.*—If upon the examination or upon the certificate
 of two legally qualified medical practitioners it should
 appear that any such premises are in the condition,
 &c. described in the notice from the inhabitants, the
 town council, trustees, &c., are to cause a complaint
 to be made before a justice, who is thereupon to issue
 a summons requiring the owner or occupier of the
 premises to appear before the justices to answer such
 complaint, and such summons is to be served by de-
 livering the same, or a true copy thereof, to some

person upon the said premises, in respect of which the complaint has been made, or (if there be no person upon the premises who can be so served) by affixing such summons or copy upon some conspicuous part of such premises, and if at the time and place appointed by such summons it is proved to the satisfaction of the justices that the cause of complaint exists, and (in case of the non-appearance of the owner or occupier) that the summons or copy was served as aforesaid, they are to make an order for cleansing, whitewashing, or purifying such dwelling-house or building, or for the removal or abatement of any such causes of complaint, in such manner and within such time as shall be specified in such order (not being more than two clear days after the service of such order); and such order is to be forthwith served by delivering it, or a true copy of it, to some person upon the premises in respect of which it is made, or (in case of there being no person there) by fixing it upon some conspicuous part of such premises. (a)

11 & 12 VICT.
c. 123.

SCHEDULE (B.)

Summons to appear.

To the owner [or occupier] of a dwelling-house [or building or of certain premises,] situate at [insert such a description as may be sufficient to identify the premises].

County of [or Borough, &c., of Metropolitan Police District, or as the case may be] to wit.	}	WHEREAS complaint hath been made to the undersigned, one of Her Majesty's justices of the peace acting in and for the said county of [or borough, &c. of], or one of the magistrates of the police courts of the metropolis holden at [or as the case may be], by the town council of the borough of [or as the case may be], that a certain dwelling-house [or building] situate at No. in the parish of [or as the case may be] in the county of [or such
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11 & 12 VICT.
c. 123.

other description as may be sufficient to identify the premises] is in such a filthy and unwholesome condition as to be a nuisance to or injurious to the health of *A. B.*, or as the case may be, [or that upon certain premises situate at *[inserting such a description as may be sufficient to identify the premises]* there is a foul and offensive drain, [ditch, gutter, privy, cesspool, or ashpit, or a drain, &c., kept or constructed so as to be a nuisance to *A. B.*, &c., *[as the case may be]*, or that swine [or an accumulation of dung, manure, offal, filth, refuse, or matter, or as the case may be,] are [or is] kept so as to be injurious to the health of *A. B.* or of the occupiers of the premises adjoining the premises aforesaid, or of persons living in the neighbourhood of the premises aforesaid, or of persons living in the premises aforesaid, or a nuisance to *A. B.*, &c., as the case may be]. These are therefore to require you to appear before two of Her Majesty's justices of the peace [or one of the magistrates of the police courts of the metropolis, at the court holden at] on the day of next, at the hour of to answer the matter of the said complaint.

Given under my hand and seal, this day of in the year of our Lord one thousand eight hundred and J. K. (L. S.)

SCHEDULE (C.)

Order for removal of Nuisances, &c.

To the owner [or occupier] of the dwelling-house [or building or premises] situate at No. in street in the parish of in the county of [or such other description as may be sufficient to identify the premises], and to the Town Council of the borough of [or to the Guardians of the Poor of the union, or of the parish of in the county of or, in Scotland, the Procurator Fiscal of the county of or the Procurator Fiscal or Dean of Guild of the burgh of or the Procurator Fiscal of the justices of the peace of the county of or the Inspector of the Poor of the parish of as the case may be], and to their servants or agents, and to all whom it may concern.

County of	} WHEREAS on the day of
[or borough, &c.]	
of	
Metropolitan Police	
District, or as the case may be]	
to wit.	[or before the undersigned, or J. K. esquire, one of the magistrates of the police courts of the metropolis, or as the case may be,] by the town council of the borough

of [or by the guardians of the poor of the union, or of the parish of in the county of or, in Scotland, by the procurator fiscal of the county of or by the procurator fiscal or dean of guild of the burgh of or by the procurator fiscal of the justices of the peace of the county of or by the inspector of the poor of the parish of as the case may be], that a dwelling-house [or building] situate at No. in street in [the parish or place before mentioned] aforesaid, [or such other description as may be sufficient to identify the premises,] then was in such a filthy and unwholesome condition as to be a nuisance [or injurious to the health of] A. B., or as the case may be, [or that upon certain premises situate at [inserting such a description as may be sufficient to identify the premises] there then was a foul and offensive drain, [ditch, gutter, privy, cesspool, or ashpit, or a drain, &c., kept or constructed so as to be a nuisance to A. B. &c., as the case may be], or that upon certain premises, situate &c., swine, or an accumulation of dung, manure, offal, filth, or refuse, as the case may be, are or is kept so as to be injurious to the health of A. B., or of the occupiers of the premises adjoining the premises first aforesaid, or of persons living in the neighbourhood of the premises first aforesaid, or of persons living in the premises first aforesaid, or so as to be a nuisance to A. B., &c.: And whereas the owner [or occupier] of the said dwelling-house, building, or premises having this day appeared before us, two of Her Majesty's justices of the peace acting in and for the county [or borough] of [or before me, one of the magistrates of the police courts of the metropolis, or, in Scotland, before the sheriff or magistrates or two justices of the peace, as the case may be], to answer the matter of the said complaint [or in case the party charged do not appear: And whereas it hath this day been proved to our [or my] satisfaction, that a true copy of a summons requiring the owner [or occupier] of the said dwelling-house [or building or premises] to appear this day before us [or me] has been duly served according to the statute in such case made and provided], and it having been proved [or also proved, as the case may require,] that the said dwelling-house [or building] is in such a filthy and unwholesome condition as aforesaid [or that upon the premises aforesaid [or first aforesaid] there is a foul and offensive drain [privy, cesspool, or ashpit, or a drain, &c. kept or constructed so as to be a nuisance to A. B., &c., as the case may be], or that upon the premises aforesaid, or first aforesaid, an accumulation of dung, manure, offal, filth, or refuse, or as the case may be, is kept, or a pigstye exists, so as to be injurious to health as aforesaid or so as to be a nuisance to A. B., &c., as the case may be]: We [or I] do hereby, in pursuance of the statute in such case made and provided, order the said owner [or occupier] of the said dwelling-house [or building, or premises, or first-mentioned premises within

11 & 12 Vict.
c. 123.

hours from the service of this order [*or a true copy thereof*], according to the statute in such case made and provided, to cleanse [*whitewash or purify*] the said dwelling-house [*or to cleanse, cover, or fill up, or as the case may require, the said drain, [ditch, gutter, privy, cesspool, or ashpit, or otherwise as the case may require], or remove the said pigstye or accumulation of dung, offal, filth, refuse, or matter, as the case may be, so that the same shall not be injurious to health, or a nuisance, as aforesaid*]; and if this order be not complied with, then we [*or I*] authorize and require you the said town council [*or guardians of the poor, or, in Scotland, the procurator fiscal of the county of* *or the procurator fiscal or dean of guild of the burgh of* *or the procurator of the justices of the peace of the county of* *or the inspector of the poor of the parish of* *as the case may be*] to enter upon the said dwelling-house, [*or building, or premises, or first-mentioned premises,*] and to do all such works, matters, and things as may be necessary for carrying this order into effect, according to the statute in such case made and provided.

And for your so doing this shall be your sufficient warrant.

Given under our hands and seals [*or my hand and seal, or, in Scotland, our hands, or my hand*], this day of
one thousand eight hundred and

Signatures. { (L. S.)*
 { (L. S.)*

* [*In Scotland without seals.*]

Penalty for non-compliance, and power of public body themselves to do the works, &c.—If the order be not complied with, the owner or occupier against whom it is made is to be liable to a penalty not exceeding ten shillings for every day of his default, and the town council, &c., are by themselves, &c., to enter the premises and cleanse, whitewash or purify the same, or remove or abate the cause or causes of complaint in respect of which the order is made, and do all such works, &c., as may be necessary for carrying such order into effect, and any dung, manure, offal, filth, or refuse, and any other matter or thing removed by any such town council, &c., in pursuance of this enactment, may be destroyed or sold, and in case of sale the proceeds arising therefrom are to be paid to or (as the case may require) retained by the guardians of the poor, and are to be by them

applied in aid of the poor-rate of the parish, &c., in ^{11 & 12 VICT.} which such removal shall have been made. (a) _{c. 123.}

Similar provisions relative to Scotland.—The second section provides similar regulations for Scotland, with such alterations only as the different natures of the public bodies in that country require. (b)

Recovery of costs, &c., from the owner or occupier of the premises.—Provision is made for the recovering by the town council, &c., from the owner or occupier of the premises, of all costs and expenses reasonably incurred in obtaining the order, or in carrying the same into effect. (c)

Certain expenses of the Act to be defrayed out of the poor-rate, &c.—The act also makes provision for the payment, out of the poor-rates, &c., of all costs and expenses reasonably incurred in carrying into effect any of the before-mentioned provisions, and not recoverable from the owner or occupier of the premises in respect of which such expenses have been incurred. (d)

The foregoing provisions not to apply to districts in which the Public Health Act is in force.—Nothing in the foregoing provisions is to apply to any district, parish, or place in which the Public Health Act, 1848, or any part of it is in force, unless so far as the General Board of Health by order in writing duly signed, &c., shall otherwise direct. But nothing in the act is to be construed to impair, abridge, or take away any power, &c., which may at any time be vested in any Commissioners of Sewers, or to take away or interfere with any course of proceeding which might be resorted to or adopted by such commissioners if this act had not been passed. (e)

Surveyors of highways to cleanse, &c., open ditches, &c., adjoining highways.—Section 6, after reciting

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- (a) Section 1. (b) Section 2. (c) Section 3.
(d) Section 4. (e) Section 5.

11 & 12 Vict. c. 123. the provisions in the 5 & 6 Will. 4, c. 50, and the 8 & 9 Vict. c. 41, relative to the scouring, cleansing, &c., of open ditches, &c., and that, with the view to the more effectual removal of nuisances injurious to health, it is expedient that the surveyor, district surveyor, or assistant surveyor, trustees or surveyors, should not only be empowered but required to scour, &c., all open ditches, &c., upon, adjoining, &c., any highway, enacts, that the said surveyor, &c., shall scour, cleanse, and keep clear, or cause to be scoured, cleansed, or kept clear, as far as may be practicable, all open ditches, gutters, drains, and watercourses upon, adjoining, or by or along the sides of any highways; and any sewage, drainage, soil, filth, or other matter or thing whatsoever, which shall be removed by any such surveyor, &c., from any such ditch, &c., in scouring, &c., the same, is to be disposed of by such surveyor, &c., and the proceeds thereof are to be applied towards the repair of the highway within the parish or place in which such removal shall have taken place; and the provisions before contained with respect to ditches, &c., upon, adjoining, or by or along the sides of highways are, so far as they relate to England, to be deemed a part of the said act (5 & 6 Will. 4, c. 50), and in so far as they relate to Scotland to be deemed part of the 8 & 9 Vict. c. 41. (a)

Drainage from new houses into any open ditch, &c., so as to be a nuisance, forbidden.—By section 7 it is provided that whosoever suffers any sewage, drainage, soil, filth, or any matter or thing of a noxious or offensive nature to run or flow into or remain in any open ditch, gutter, drain, or watercourse, so as to be a nuisance to or injurious to the health of any person from any dwelling-house, building, or other premises which shall not have been

occupied before the passing of this act, or from any privy or watercloset which shall not have been constructed before that time, is to be deemed guilty of a misdemeanor, or in Scotland of an offence punishable by fine or imprisonment, and in addition is to be liable for every such offence to a penalty not exceeding five pounds for every day during which the offence is continued. (a)

11 & 12 VICT.
c. 123.
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This section, though apparently novel and severe in its provisions, is scarcely more than a re-enactment of the old law, under which a party guilty of a public nuisance was liable to be indicted for a misdemeanor. The proceedings against the offender for the commission of the act will be by indictment, whereupon, if he is found guilty, he may be fined and imprisoned, or the one without the other; but if it is sought to recover the penalty mentioned at the end of the section for *continuing* the nuisance, the proceedings will be of a summary nature before justices, as pointed out by the 17th section. The bringing into operation two jurisdictions upon almost essentially the same subject-matter, may be at times productive of great inconvenience and great personal hardship, and it would probably have been more convenient if the justices had been entirely vested with the power of deciding upon the offence of *originating* as well as of that of *continuing* the nuisance, since, in order to deal with the latter offence, it is essential that they should go into the former, and thus it may occur that whilst the justices impose a penalty for *continuing* the nuisance, the sessions or assizes may hold that no nuisance in fact has existed.

Notice to be given to the General Board of Health, &c., of intention to build, &c., certain hospitals, &c.—Whenever it is intended to build or open any hos-

1 & 12 VICT.
123. — pital for the reception of patients afflicted with contagious or infectious diseases or disorders, the trustees or other persons by whose authority such hospital is intended or opened, are to give notice of such intention to the General Board of Health, or in Ireland to the Commissioners of Health, and no such hospital is to be built or opened until the said board, &c., have approved of it in writing. But this is not to apply to the building or opening of any addition to a building which shall have been used as a hospital previously to such addition. (a)

Privy Council empowered to issue orders for putting in force the provisions of this Act relative to the prevention of epidemic diseases, &c.—The ninth section of this act, after reciting that it is expedient when any part of the United Kingdom shall appear to be threatened with or affected by any formidable epidemic, endemic, or contagious disease, measures of precaution should be taken with promptitude according to the exigency of the case, enacts, that in Great Britain the Privy Council, and in Ireland the Lord Lieutenant and Privy Council, may by order or orders, from time to time direct, that the provisions hereinafter contained for the prevention of epidemic, endemic, and contagious diseases be put in force in Great Britain and Ireland respectively, or in such parts or in such places as may be expressed in such orders, and may revoke such orders, which are to be in force for six months, or for such shorter period as in such order shall be expressed. (b)

It will be seen that, in pursuance of the powers contained in this section, the Privy Council have ordered that this act shall be brought into operation in Great Britain forthwith (*See the Order in Council, post, p. 19*).

General Board of Health to issue directions and regulations.—The General Board of Health in Great Britain, and the Commissioners of Health in Ireland may, from time to time during the continuance of the before-mentioned order in council, issue such directions and regulations as they may think fit for the prevention, as far as possible, or mitigation of such epidemic, endemic, or contagious diseases, and may revoke, renew, and alter any such directions and regulations, or substitute new ones, and they may thereby provide for the frequent and effectual cleansing of streets and public ways and places by the surveyors, &c., or by the owners and occupiers of houses and tenements adjoining thereto, and for cleansing, purifying, ventilating, and disinfecting of houses, dwellings, churches, buildings, and places of assembly by the owners or occupiers, and persons having the care and ordering thereof, for the removal of nuisances, for the speedy interment of the dead, and generally for preventing or mitigating such epidemic, endemic, or contagious diseases in such manner as to them (the board, &c.) may seem expedient. (a)

11 & 12 VICT.
c. 123.

The powers thus conferred upon the Board of Health, though of a plenary character, are not more extensive than the importance of the subject-matter to which they refer requires. The orders in question are to be issued by the board only with a view to the prevention or mitigation of epidemic, endemic, and contagious diseases, and are to remain in force only so long as the order in council before-mentioned remains in force, which, as we have seen, cannot endure for a longer space than six months at a time, and is to issue only when the kingdom is threatened with or affected by any such diseases as those to which reference is made.

11 & 12 VICT.
c. 123.

The Board of Health may require Guardians of the Poor, &c., to see to their directions being duly executed, &c.—The Board of Health may, by their directions and regulations, authorize and require the Guardians of the Poor in England and Ireland, and the parochial Boards for the management of the Poor in Scotland, by themselves, &c., or by officers specially appointed in this behalf, to superintend and see to the execution of any of the before-mentioned directions and regulations, and (where it appears that there may be default or delay in the execution of such orders, by want of neglect of the surveyors, &c., or by reason of poverty of occupiers or otherwise) to execute or aid in executing the same, within their respective unions, &c., and in any extra-parochial places adjoining, in which the directions and regulations shall not be executed by the inhabitants. And the said guardians, &c., are to provide for the dispensing of medicines, and for affording to persons afflicted by, or threatened with, such epidemic, endemic, or contagious diseases, such medical aid as may be required, and to do and provide all such acts, matters, and things as may be necessary for superintending or aiding in the execution of such directions and regulations, or for executing the same, as the case may require. The clause provides for the extent over which such directions, &c., shall operate, and the length of time for which they are to endure, and for the appointment in Ireland of Commissioners of Health. (a)

The duties cast upon the Boards of Guardians and other parochial officers by this enactment, are of a most important description. In fact to these functionaries is almost exclusively confined the responsibility of seeing that the preventive and remedial measures enacted by this statute are fully and efficiently carried

(a) Section 10.

out. The obligation, therefore, of manifesting great activity and perseverance in the performance of the obligations thus imposed upon them, when the grave object in view is contemplated, is a very serious one, and should earnestly and anxiously engage their very best attentions. It will be seen, upon a reference to the 13th and 14th sections, that ample powers are given for the due execution of all the directions before referred to, and for meeting all the necessary expenses.

11 & 12 VICT.
c. 123.

Appointment of a medical member of the General Board of Health.—Power is given to the Crown, during the continuance of any Order in Council as before mentioned, to appoint a medical member of the General Board of Health. (a)

Poor Law Commissioners to require the officers acting under them to see to the execution of the directions given to the Guardians.—The Poor Law Commissioners of England and Ireland, and the Board of Supervision in Scotland, are to require the officers and persons acting under them, to inquire into, superintend, and report the execution of the directions and regulations of the General Board of Health, &c., and they are to have the same powers for enforcing and directing the execution of such directions and regulations by the said guardians, &c., as they now or may hereafter have in relation to any matter concerning the administration of the Poor Laws. (b)

Power of entry for the purpose of enforcing the directions, &c. of the General Board of Health, &c.—Power is given to the Guardians of the Poor and their officers acting in the execution of the directions and regulations before-mentioned, to enter at reasonable times in the daytime, and inspect any dwelling or place, if there is ground for believing that any person

(a) Section 11.

(b) Section 12.

11 & 12 VICT.
c. 123.

may have recently died of any such epidemic, endemic, or contagious disease in any such dwelling or place, or that there is any filth or other matter dangerous to health therein, or thereupon, or that necessity may otherwise exist for executing in relation to the premises, all or any of the regulations before-mentioned. (a)

Guardians may appoint officers to carry out directions.—The guardians and parochial boards are empowered to appoint or employ, for the superintendence and execution of the said directions and regulations, officers or persons in aid of the officers or persons employed in the administration of the laws for the relief of the poor. (b)

The expenses of guardians, &c. to be defrayed out of the poor-rates.—The guardians and parochial boards are to defray the expenses incurred by them in the superintendence and execution of such directions and regulations out of the funds of their respective unions, parishes, or combinations. Provision is also made for the cases of expenses incurred in extra-parochial places, and in parishes in Scotland, in which at the time there is no assessment to the poor. (b)

Orders in Council, and directions, &c. of the Board of Health, to be laid before Parliament, and gazetted, &c.—Every order of the Privy Council, &c., and all directions and regulations of the General Board of Health, are to be laid before Parliament, and be published in the *Gazette*, and such publication is to be conclusive evidence of the order, direction, or regulation so published to all intents and purposes. (c)

Penalties for obstructing the execution of the Act.—A penalty of not exceeding 5*l.* is imposed upon any person for wilfully obstructing any person acting under the authority, or employed in the execution of this act,

or who shall wilfully violate any directions or regulations issued by the General Board. And if the occupier of any premises shall prevent the owner from obeying or carrying into effect the provisions of this act, any justice, &c. is, by an order in writing, to require such occupier to permit the execution of the works required to be executed, provided that such works appear to be necessary for the purpose of obeying or carrying into effect the provisions of this act; and if within a reasonable time after the making of such order the occupier shall refuse to comply, he is to be liable to a penalty not exceeding 5*l.* for every day afterwards during the continuance of such refusal. (a)

11 & 12 Vict.
c. 123.

SCHEDULE (D.)

Order to permit execution of works by owners.

County of [or borough, or burgh, or Metropolitan Police District, or as the case may be] to wit. } WHEREAS complaint hath been made to me, *E. F.* esquire, one of Her Majesty's justices of the peace in and for the county [or borough, &c.] of [or one of the magistrates of the police courts of the metropolis, or as the case may be, or, in Scotland, to me *G. H.*, sheriff, or one of Her Majesty's justices of the peace, as the case may be, of the county of], by *A. B.*, owner within the meaning of the "Nuisances Removal and Diseases Prevention Act, 1848," of certain premises, to wit, a dwelling-house [or building, or as the case may be], situate [insert such a description of the premises as may be sufficient to identify them], in the parish of in the said county [or borough, &c.], that *C. D.*, the occupier of the said premises, doth prevent the said *A. B.* from obeying and carrying into effect the provisions of the said act, in this, to wit, that he the said *C. D.* doth prevent the said *A. B.* from [here describe the works generally according to the circumstances; for instance, thus: cleansing or whitewashing or purifying the said dwelling-house, [or building,] or cleansing a foul and offensive drain [ditch, gutter, privy, cesspool, or ashpit] which exists upon the said premises, or as the case may require]: And whereas the said *C. D.* having been summoned to answer

11 & 12 Vict. the said complaint, and not having shown sufficient cause
c. 123. against the same, and it appearing to me that the said works
are necessary for the purpose of enabling the said *A. B.* to obey
and carry into effect the provisions of the said act, I do hereby
order that the said *C. D.* do permit the said *A. B.* to execute
the same in the manner required by the said act.

Given under my hand and seal [*or, in Scotland, under my*
hand] this day of in the year of our Lord
one thousand eight hundred and

E. F. (L. S.)*

* [*In Scotland without seal.*]

Recovery and application of penalties.—Full provisions are contained in sect. 17 for the recovery and application of penalties imposed under the authority of this act. (*a*)

The five remaining sections of this enactment refer to the power to sue one or more of several owners or occupiers alone, (*b*) and to describe them as the “owner” or “occupier” of such premises without further name or description, (*c*) and that no order, nor any other proceeding, &c., shall be vacated or quashed, or set aside for want of form, or be removed by *certiorari*, &c. (*d*) It is provided, however, that proceedings commenced under the 9 & 10 Vict. c. 96, may be enforced, although that act has expired. (*e*) There is also a general interpretation clause, (*f*) and it is enacted, that in citing this act in other acts of Parliament, and in legal instruments and other proceedings, it shall be sufficient to use the words, “The Nuisances Removal and Diseases Prevention Act, 1848.” (*g*)

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| (<i>a</i>) Section 17. | (<i>b</i>) Section 18. | (<i>c</i>) Section 19. |
| (<i>d</i>) Section 20. | (<i>e</i>) Section 21. | |
| (<i>f</i>) Section 22. | (<i>g</i>) Section 23. | |

ORDER IN COUNCIL.

At the Council Chamber, Whitehall, the 28th day of September, 11 & 12 VICT.
1848, by the Lords of Her Majesty's most Honourable Privy c. 123.
Council :

WHEREAS by an act, passed in the last session of Parliament, intituled *An Act to renew and amend an Act of the Tenth Year of Her present Majesty, for the more speedy Removal of certain Nuisances, and the Prevention of contagious and epidemic Diseases*, after reciting that it is expedient that when any part of the United Kingdom shall appear to be threatened with or affected by any formidable epidemic, endemic, or contagious disease, measures of precaution should be taken with promptitude, according to the exigency of the case, it is enacted, that, in Great Britain, the Lords and others of Her Majesty's most Honourable Privy Council, or any three or more of them (the Lord President of the Council, or one of Her Majesty's principal Secretaries of State, being one), may, by Order or Orders, to be by them from time to time made, direct, that the provisions in the said act contained for the prevention of epidemic, endemic, and contagious diseases be put in force in Great Britain, or in such parts thereof, or in such places therein respectively, as in such Order or Orders respectively may be expressed, and may from time to time, as to all or any of the parts or places to which any such Order or Orders may extend, and in like manner, revoke or renew any such Order, and subject to revocation and renewal as aforesaid, every such Order shall be in force six calendar months, or for such shorter period as in such Order shall be expressed:

And whereas the United Kingdom appears to be threatened with a formidable epidemic disease, in consequence of the progressive advance of such a disease to the western portion of the Continent of Europe, and a case has arisen for putting in force the provisions of the said act:

Now, therefore, it is hereby ordered by the Lords and others of Her Majesty's most Honourable Privy Council (of whom the Right Honourable Viscount Palmerstone, one of Her Majesty's

11 & 12 VICT. principal Secretaries of State, is one), in pursuance and exercise
 c. 123. of the powers so vested in them as aforesaid, that the provisions contained in the said hereinbefore-recited act, for the prevention of epidemic, endemic, and contagious diseases, be put in force throughout the whole of Great Britain immediately from and after the date of this Order.

And it is further enacted, that this Order shall continue in force for six calendar months, from and after the date hereof.

C. C. GREVILLE.

CIRCULAR OF THE POOR LAW COMMISSIONERS.

The following Circular has been issued from the Poor Law Board to the Clerks of the several Boards of Guardians:—

REMOVAL OF NUISANCES ACT.

Poor Law Board, Somerset House, Oct. 6.

SIR—The Poor Law Board desire to call the attention of the guardians to the provisions of the statute 11 & 12 Vict. c. 123, passed in the last session, to renew and amend the act of the 10th year of Her Majesty, for the more speedy removal of certain nuisances, and the prevention of contagious and epidemic diseases.

The guardians will remember that the Poor-Law Commissioners, by a circular letter dated October 8th, 1846, brought the provisions of the 9 & 10 Vict. c. 96, under the notice of the guardians.

The object of the statute is twofold. It provides (1) for the more speedy removal of certain nuisances, and (2) for the prevention of contagious and epidemic diseases; but the provisions for the latter object do not take effect till called into action by an order from the Privy Council.

The first section enacts that upon receipt (or as soon afterwards as can be) by certain bodies therein enumerated, or by any guardians of the poor, of a notice in a form set forth in a schedule to the act, or to the like effect, signed by two or more inhabitant householders of the parish or place to which the notice relates, stating—

"That to the best of their knowledge and belief any dwelling-house or building in any city, town, borough, parish, or place within or over which the jurisdiction or authority of such bodies or guardians extends, is in such a filthy and unwholesome condition as to be a nuisance to, or injurious to the health of any person;

11 & 12 VICT.
c. 123.
—

"Or that upon any premises within such jurisdiction or authority there is any foul and offensive ditch, gutter, drain, privy, cesspool, or ash-pit, or any ditch, &c., kept or constructed so as to be a nuisance to, or injurious to the health of any person;

"Or that upon any such premises swine, or an accumulation of dung, manure, offal, filth, refuse, or other matter or thing are or is kept so as to be a nuisance to, or injurious to the health of any person;

"Or that upon any such premises (being a building used wholly or in part as a dwelling-house) or being premises underneath any such building, any cattle or animal are or is kept so as to be a nuisance to, or injurious to the health of any person;"

Such bodies or guardians, or some committee thereof, appointed in this behalf by such bodies or guardians, shall, after twenty-four hours' notice in writing delivered to some person on the premises, or if there be no person there, affixed on some part of the premises (or in case of emergency without notice) by themselves, their servants or agents, with or without medical or other assistants, enter and examine the premises with reference to the matters alleged in the notice of the complainants, and do all that may be necessary for such purpose; and if upon such examination, or upon the certificate of two legally qualified medical practitioners, the existence of the nuisance appears, such body or guardians shall thereupon lay a complaint before a justice of the peace, who shall summon the owner or occupier to appear before two justices to answer such complaint.

Such justices are then required, if the existence of the nuisance is proved to their satisfaction, to make an order for cleansing, whitewashing or purifying such dwelling-house or building, or for the removal or abatement of the cause of complaint in such manner and within such time as shall be appointed.

11 & 12 VICT.
c. 123.

This order is to be served in the same manner as the summons, and if not complied with, the owner or occupier against whom it is made will be liable to a penalty not exceeding 10s. for each day of default, and the guardians or other body mentioned therein shall themselves or by their servants enter the premises and cleanse them, or remove the cause of complaint, and do all that may be necessary for carrying such order into effect.

Any dung, manure, or other thing which is removed may be destroyed or sold, and if sold the proceeds shall be paid to or retained by the guardians, and shall be applied by them in aid of the poor-rate of the place in which the removal shall have been made.

It should be mentioned, that the statute provides in section 16, that whosoever shall wilfully obstruct any person acting under the authority or employed in the execution of the act, shall be liable to a penalty not exceeding five pounds for each offence.

Sect. 3 provides, that the costs and expenses reasonably incurred in obtaining the order or carrying it into effect, may be recovered from the owner or occupier of the premises in respect whereof they have been incurred as a debt in the County Court, or by summary process before two justices, unless such justices shall think fit to excuse such person upon the ground of poverty or other special circumstances.

The statute then enacts, in sect. 4, that all costs and expenses reasonably incurred as aforesaid in carrying into effect any of these provisions, and not recovered from the owner or occupier of the premises in respect whereof they have been incurred, shall, upon an order of two justices, be retained, paid, or defrayed by the treasurer of the guardians or by the overseers of the poor out of the funds in their hands applicable to the relief of the poor, and shall be charged to the parish or place wherein the premises in respect whereof they have been incurred shall be situated. By the same section provision is made for the payment of these costs when incurred in extra-parochial places. This order, if not obeyed within twenty-one days, is to be enforced by a warrant of distress.

The guardians will perceive that this provision extends, as the similar one in the former act did, to the expenses incurred by

any party authorized to take proceedings, and consequently is not confined to expenses incurred by themselves.

11 & 12 VICT.
c. 123.

By sect. 7, the drainage of filth, &c., from houses not occupied before the 4th of September, 1848, into open ditches so as to occasion a nuisance to or be injurious to the health of any person, will subject the occupier to a penalty of 5*l.* per day during the continuance of the offence, and he may also be indicted for a misdemeanor.

There is a like provision with respect to drainage from water-closets or privies constructed after the 4th September, 1848, and the penalties in that case will attach whether the privy or water-closet so constructed be attached to a house occupied before or after that day.

The statute requires each or any of the several bodies named in it to take proceedings upon receiving such a notice as has been described from competent parties. As, however, the guardians will have to pay the expenses of the proceedings wherever (as must frequently be the case) they are not recovered from the owner or the occupier, it will be most expedient for them to have the conduct of the whole matter. They will do well, therefore, to promote rather than to discourage applications being made to them under the statute.

It is also desirable that the guardians should be aware that by the interpretation clause, sect. 22, the words, "guardians of the poor" mean "the guardians, directors, wardens, governors, parochial board, or other like officers having the management of the poor for any union, parish, or place, where the matter requiring the cognizance of any such officers arises;" and the word "*owner*" means "any person receiving the rents of the property in respect of which that word is used from the occupier of such property on his own account, or as trustee or agent for any other person, or who would receive the same if such property were let to a tenant."

The board think it may be useful to advert briefly to the chief points of difference regarding the removal of nuisances, between the present act and that which has just expired.

By the *present* act a notice from two householders is sufficient to enable the guardians to act; by the *late* act a certificate signed by two duly qualified medical practitioners was needed, before the guardians could act. By the *present* act it is

11 & 12 Vict.
c. 123.

made imperative on the guardians or other bodies to whom notice is given to proceed forthwith in the manner prescribed; by the *late* act it was discretionary with the guardians and other bodies, whether they would take the proceedings for the abatement of the nuisance. By the *present* act a penalty of 10s. is imposed upon the owner or occupier who disobeys an order of justices, for every day he makes default; by the *late* act no such pecuniary penalty was imposed; by the *present* act, to enable the guardians or other bodies to determine whether proceedings ought to be taken or not, an entry of the premises for the purpose of examination is authorized; by the *late* act a right of entry only was given to enforce the order of justices when made. Under the *present* act express powers are given for distraining a defaulter's goods wherever they may be found. The act also authorizes dung, &c., found on the premises to be destroyed or sold. These powers were not given by the *late* act; the *present* act distinctly assigns duties to the guardians and poor law officers as well as to surveyors and others charged with the management of roads and surface cleansing. The provision for this purpose is new.

The former was a temporary act; the present is permanent. The present, like the former act, is applicable to the whole of the United Kingdom. The only exception is in the cases of "*districts*" formed under the Public Health Act, where, in order to prevent conflicting jurisdiction, a discretion will be exercised by the General Board of Health as to how far the present act shall be applied.

The guardians will observe that by the second part of the act the Board of Health are charged with the duty of preparing regulations which the union and parochial officers are required to enforce in the event of the country being afflicted or threatened with any formidable epidemic, endemic, or contagious disease.

The progressive advance of a formidable epidemic to the western part of Europe has, in the opinion of Government, rendered necessary the enforcement of the act. An order in council has accordingly been issued for putting it in force throughout the kingdom.

The guardians and the union and other local officers must now therefore, in compliance with these provisions, act upon all

regulations which they may receive from the General Board of Health for such places as that Board may deem to require them; and on all questions regarding the execution of this part of the act the guardians may communicate directly with the General Board of Health.

11 & 12 VICT.
c. 123.

It must be stated to the guardians that on the subject-matters of the present act, and on the means for the prevention both of disease and of the destitution arising from sickness and premature mortality, the General Board of Health purpose to communicate information specially adapted for the guidance of medical and other officers, by means of an *official circular*, which will be issued in the same form, and may be taken at the discretion of guardians in the same manner as the official circular of the Poor-Law Board.

While upon the subject of this statute, which relates to the prevention of disease, the board think it well to mention, though it does not immediately affect the guardians, that by sect. 67 of the Public Health Act, the churchwardens and overseers are required from time to time, after the passing of that act, to give public notice as to the provisions with respect to the occupation of cellars and underground rooms, and that those provisions are imperative, whether the Public Health Act is in force within their parish or not.

In conclusion, the board think it desirable to repeat the following observations of the late commissioners made in their circular letter of the 8th October, 1846:—

“The improvement of the sanitary condition of the poorer classes tends so greatly to remove many of the causes of destitution and pauperism, that the money judiciously expended on such an object, now sanctioned by the Legislature, in the cases to which the statute applies, will be found to be most profitably laid out, even in reference to the more direct object of the duties of the guardians.”

I am, Sir, your obedient servant,

W. G. LUMLEY, *Assistant Sec.*

SANITARY REGULATIONS.

[From the *London Gazette*, October 27, 1848.]

General Board of Health, Gwydyr House, Whitehall.

11 & 12 VICT. The General Board of Health have agreed to the following
c. 123. regulations, under the "Nuisances Removal and Diseases Act, 1848," 11 & 12 Vict. c. 123, applicable to the parochial boards for the management of the poor in the following parishes in and near Edinburgh, viz., City of Edinburgh, St. Cuthbert's, Canon-gate, North Leith, and South Leith.

Whereas by the act 11 & 12 Vict. c. 123, intituled "An act to remove and amend an act of the 10th year of her present Majesty, for the more speedy removal of certain nuisances, and the prevention of epidemic and contagious diseases," the General Board of Health is empowered to issue such directions and regulations for carrying into effect the provisions of the said act, as to them may seem fit; now we, the said General Board of Health, do hereby authorize and direct the parochial boards for the management of the poor in the following parishes in and near Edinburgh—namely, the city of Edinburgh, St. Cuthbert's, Canongate, North Leith and South Leith, to execute, or see to the execution of, the directions and regulations following, viz.:—

1. We hereby authorize and require the said parochial boards to provide dispensaries in suitable stations, with sufficient medical aid, such dispensaries to be accessible at all times by night and by day to persons requiring medical aid for themselves or others attacked by cholera or by any of its premonitory symptoms, and to provide the medicines to be distributed to such applicants at such dispensaries; and such medicines and cordials as may be required elsewhere in their respective parishes for necessitous persons attacked as aforesaid, who may be under medical treatment.

2. And we do further authorize and require the parochial boards of the said parishes and places to make arrangements for the distribution of notices, stating the places where the dispensaries shall have been provided. 11 & 12 VICT.
c. 123.

3. Whereas it has heretofore been found to be impracticable to ensure proper treatment in their own houses to many of the poorer classes, we authorize and require the said parochial boards respectively to provide houses or suitable rooms, capable of accommodating necessitous cases, to which persons attacked by cholera, who cannot be properly treated in their own houses, may be conveyed.

4. We authorize and require the said parochial boards to provide houses of refuge, to which may be removed the families of such necessitous persons as have been attacked with cholera and also such necessitous persons living under the same roof or in the vicinity of persons so attacked, as the medical officers acting under the authority of the said parochial boards may deem it necessary to remove; the houses, rooms, or dwellings from which persons may have been so removed to the houses of refuge, to be cleansed and purified by the owners or persons having the care or ordering thereof, or, in their default, by the said parochial boards respectively.

5. And we hereby authorize and require the said parochial board to provide for the frequent visitation by themselves or their officers, or such persons as they may appoint in this behalf, of the several houses and dwellings throughout the bounds of their several parishes, and to inquire into the condition and matters affecting the health of the inmates of such houses and dwellings respectively, and their liability to contagious, epidemic, or endemic diseases, and especially as to the existence among them of bowel complaints.

6. And we authorize and require the said parochial board, on their own inspection, or the report of the officers or persons by whom such visitations may be made, or other information which they may acquire from their own committees, or from visitors or others, as to the condition of the poor who may be affected with, or threatened by the cholera or other epidemic disease, to supply such medical aid as may appear requisite.

7. And we hereby authorize and require the parochial board or the officer or person visiting as aforesaid, subject to the

11 & 12 VICT.
c. 123.
— special instructions of the parochial board in each case where symptoms are found of a premonitory attack of bowel complaint, to send the person so affected to the nearest dispensary within the bounds of the parish, or, where that may be inexpedient, to despatch some member of the family or other person for advice and medical aid, and immediately report to the medical officer the case of every such person found so affected who shall not have proceeded to the dispensary.

8. And we do authorize and direct the several parochial boards to make arrangements for obtaining daily lists of persons attacked by cholera within their respective parishes, with the particulars of their cases and treatment, and for communicating the same daily to the other boards respectively, and to the President of the Royal College of Physicians of Edinburgh.

9. And we do hereby authorize and direct the said parochial boards to appoint such additional medical officers, and also appoint such other officers as may be necessary to carry out, execute, and superintend the execution of these regulations.

Given under our hands, and under the seal of the General Board of Health, this 20th day of October, 1848. •

EDWIN CHADWICK,
T. SOUTHWOOD SMITH.

SANITARY REGULATIONS.

[From the *London Gazette*, October 31, 1848.]

SECOND NOTIFICATION.

IN RESPECT TO THE ORDERS AND REGULATIONS ISSUED BY THE GENERAL BOARD OF HEALTH, UNDER THE AUTHORITY OF THE NUISANCES REMOVAL AND DISEASES PREVENTION ACT.

WHEREAS, by the provisions of the "Nuisances Removal and Diseases Prevention Act," 1848, for the prevention of epidemic, endemic, and contagious diseases, and by virtue of an order of the Lords of Her Majesty's most Honourable Privy Council, bearing date the 28th day of September, 1848, directing that the said provisions of the said act be put in force throughout the whole of Great Britain; we, the General Board of Health, are authorized to issue such directions and regulations as the said board shall think fit for the prevention (as far as possible) or mitigation of epidemic, endemic, or contagious diseases; and whereas by the said act it is provided, that the directions and regulations to be issued as aforesaid shall extend to all parts or places in which the said provisions of the said act shall, for the time being, be in force, under the order of Her Majesty's Privy Council, unless such directions or regulations shall be expressly confined to some of such parts or places, and then to such parts or places as in such directions and regulations shall be specified :

11 & 12 VICT.
c. 63.

Now, in exercise of the authority vested in us as aforesaid, we, the General Board of Health, do issue the directions and regulations hereinafter contained, to extend to all parts and places within the above-named parishes, townships, and unions

11 & 12 VICT. of parishes, and to all extra-parochial places adjoining to
c. 63. such parishes, townships, and unions of parishes respectively,
viz. :—

Surveyors,
&c. once in
every
twenty-four
hours to
cleanse all
such streets,
&c. as by the
medical
officer of the
guardians,
&c. shall be
certified, &c.

I. We direct that all surveyors and district or assistant surveyors of highways, trustees, county surveyors, and others, by law entrusted with the care and management of the streets and public ways and places within the parts or places to which these directions and regulations extend, shall, once at least in every twenty-four hours, effectually cleanse all such of the streets, rows, lanes, mews, courts, alleys, closes, and passages, and public ways and places, under their respective care and management, as by the medical officer of the guardians, or others authorized to superintend the execution of this direction and regulation, shall be certified in writing to be in a state dangerous to health, or to require frequent and effectual cleansing by way of precaution against disease ; and shall remove all filth, ordure, and nuisances therefrom.

Where
streets, &c.
not entrusted
to surveyor,
&c. and cer-
tified, the
occupiers to
cleanse same
once in every
twenty-four
hours.

II. And where any such streets, rows, lanes, mews, courts, alleys, and any passages, public ways, or places, to which any houses or tenements adjoin, which have not been entrusted by law to the care or management of any surveyors, trustees, or others, have been certified in writing, by such medical officer as aforesaid, to be in a state dangerous to health, or to require such frequent and effectual cleansing, we direct that every occupier of a house or tenement so adjoining shall keep, or cause to be kept, sufficiently cleansed at least once in every twenty-four hours such part of the street, row, lane, mews, court, alley, or passage, or place as adjoins the house or tenement occupied by him.

Cleansing,
&c. to be by
such means
as directed
by the
medical
officer of
guardians.

And we direct that all such works of cleansing and removal of filth, ordure, and nuisances, as are required by these directions and regulations, shall be done in such manner, by effectual washing or otherwise, and with the use of such fluids or substances for preventing the escape of noxious effluvia during the operation, as the medical officer of the guardians or others authorized to superintend the execution of these directions and regulations shall think necessary and shall direct.

Guardians to
see to the
execution of
the foregoing
regulations.

III. We do hereby authorize and require the guardians of the poor, directors, wardens, governors, and other like officers, having the management of the relief of the poor for the said

several parishes and unions of parishes to which these our 11 & 12 Vict.
directions and regulations extend, by themselves or by their c. 63.
officers or persons employed under them in the administration
of the laws for the relief of the poor, or by officers or persons
specially appointed in this behalf, to superintend and see to the
execution of the foregoing directions and regulations within
their respective parishes and unions, and in any extra-parochial
places adjoining thereto respectively.

IV. And further, where it shall appear that by want or If from
neglect of surveyors, trustees, or others entrusted with the care neglect by
and management of the relief of the poor, or by reason of surveyors or
poverty of the occupiers or otherwise, there may be any default from poverty
or delay in the cleansing of or removing nuisances from any of occupiers
street, row, lane, mews, court, alley, passage, or public way or delay is
place certified as aforesaid, within any parish or union, or any occasioned,
extra-parochial place adjoining thereto, we authorize and guardians
require such guardians of the poor, directors, wardens, governors, may cleanse,
and other like officers as aforesaid for such parish or union, to &c.
cause such street, row, lane, mews, court, alley, passage, way, or
place, to be effectually cleansed, and all nuisances to be removed
therefrom, and to do all acts, matters, and things necessary for
that purpose.

V. We also direct as follows:—

That when and so often as any dwelling-house, in any part If dwelling-
or place to which these directions and regulations extend, is in house in a
such a filthy and unwholesome condition as to be a nuisance to filthy or un-
or injurious to the health of any person, or, wholesome
condition,
or,

Where upon any premises, or any part or place as aforesaid, Offensive
there is any foul and offensive drain, ditch, gutter, privy, drain,
cesspool, or ashpit, or any drain, ditch, gutter, privy, cesspool, or ditch, &c. a
ashpit kept or constructed so as to be a nuisance, or nuisance, &c.
to the health of any person, or, or,

Where upon any such premises, swine, or any accumulation Swine or
of dung, manure, offal, filth, refuse, or other matter or thing is dung, &c.
kept, so as to be a nuisance to or injurious to the health of any kept so as to
person, or, be a nuisance
&c.

Where upon any such premises (being a building used wholly or, or
or in part as a dwelling-house), or being premises underneath Upon or
any such building, any animal is kept so as to be a nuisance or underneath
injurious to the health of any person, a dwelling-
house, any
animal kept
so as to be a
nuisance,
&c.

11 & 12 VICT.
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Owners or
occupiers to
cleanse, &c.
such pre-
mises, or
abate such
nuisance.

If occupier
too poor, he
is to give
notice
thereof to
the guar-
dians.

Guardians,
&c. to see to
the foregoing
directions.

To visit
dwelling,
where neces-
sity may
arise for
executing
directions.

If from
poverty, of
occupier
there is
default or
delay, the
medical
officer to
certify, &c.

Guardians
thereupon
to cause
house to be
cleansed, &c.

In each of the above-recited cases, the owner or occupier, and persons having the care or ordering of such dwelling-house, or of the premises where the nuisance or matter injurious to health may be, shall cleanse, whitewash, or otherwise purify, as the case may require, such dwelling-house or building, or abate or remove the nuisance or matter injurious to health as aforesaid, with all reasonable speed, after the publication of these our directions and regulations, or after the nuisance or matter injurious to health shall have arisen.

VI. In case, by reason of poverty or otherwise, the occupier of any such dwelling-house or premises is unable to perform any works required by these directions or regulations, such occupier shall give notice of such his inability to the guardians or others having the management of the relief of the poor for the parish or union comprising the place wherein the premises shall be situated.

VII. We authorize and require the guardians, directors, wardens, governors, and others having the management of the poor for the unions and parishes aforesaid, by themselves or by officers by them authorized in this behalf,

To see to the execution of the direction hereinbefore contained for the cleansing and purifying of dwelling-houses, and for the abatement and removal of nuisances and matters injurious to health; and for that purpose,

To visit, from time to time, or cause to be visited, the several dwellings and places where there may be ground for believing that necessity will arise for executing such directions.

VIII. And in every case in which from the poverty of occupiers or otherwise there may be default or delay in the cleansing or purifying of any such dwelling-house, or in the abatement or removal of any such nuisance or matter injurious to health, and the medical officer, or other person duly authorized as aforesaid, shall certify that the same requires immediate attention; and in every case in which from want of co-operation of the owners or occupiers there is any default or delay in cleansing any such drain, ditch, watercourse, or gutter into which several dwellings or tenements may drain;

We authorize and require such guardians and others, having the management of the relief of the poor for the parish or union, to cause such dwelling-houses to be cleansed or purified,

and such drain, ditch, watercourse, or gutter, to be frequently and effectually cleansed, and such nuisance or matter injurious to health to be abated and removed respectively, and to do all acts and provide all matters and things necessary for that purpose.

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c. 63.

and
nuisances
abated.

IX. And we do further authorize and require the guardians to direct their clerk of the said unions to make out from the register of deaths, or from the district medical relief books, and from any public books or other sources from which information may be obtained within the union or parish, a list of places where epidemic, endemic, and contagious diseases have of late been frequent.

Guardians to
require
their clerks
to make out
list of
places where
epidemic,
endemic, and
contagious
diseases
have been
frequent.

X. And we authorize and require such guardians and others, having the management of the relief of the poor for each union or parish, to cause the medical officers employed by them, or specially appointed for the purpose, to visit the places, of which a list shall be made out as aforesaid, and all such neighbouring and other places within such union or parish as shall appear to such medical officers (from being under like circumstances with the places included in such list or otherwise) to require visitation or examination.

Medical
officer to
visit such
places, &c.

XI. And each such medical officer shall, where it may be necessary, certify in writing to the board of guardians, and to the surveyors, trustees, occupiers, or others required to execute these directions and regulations, all such places as are in a state dangerous to health, or need frequent and effectual cleansing by way of preservation against disease, and such dwelling-houses as are in a filthy and unwholesome condition, and all such nuisances and matters injurious to health as ought to be abated, cleansed, and removed under these regulations.

Medical
officer to
certify to
board of
guardians,
&c. all such
places as are
dangerous to
health,
or need
cleansing,
&c. and all
nuisances
requiring to
be abated.

XII. And each such medical officer shall forthwith upon any case of cholera, or of typhus, or other epidemic, endemic, and contagious disease, becoming known to him within the parish, union, or district under his visitation, report the same to the guardians or others having the management of the poor for the union or parish.

Medical
officer upon
any case of
cholera or
typhus, or
contagious
disease, &c.
becoming
known to
him, to
report same
to guardians.

XIII. And where it shall be certified to the guardians or others having the management of the relief of the poor for any union or parish, by their medical officer or officers, or where it shall otherwise sufficiently appear to such guardians or others

If certified to
guardians or
known to
them that

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c. 63.

extra-ordinary medical aid is required for persons attacked with cholera, &c., they are to provide medicines, &c.

Suitable rooms to be provided for necessitous cases.

Places of refuge for removal of families attacked with cholera, &c.

On occurrence of cholera, &c., in any room, medical officer to remove parties from same unless, &c.

In case of death by cholera, &c. the last medical attendant,

that extraordinary medical aid is required for persons attacked or threatened by cholera or epidemic, endemic, or contagious disease, we authorize and require such guardians and others to provide sufficient medical aid, and, in suitable places, such medicines as may be required in their respective parishes for necessitous persons attacked by cholera or by premonitory symptoms, and to make arrangements for the distribution of notices, stating the places where aid and medicines shall have been provided.

XIV. Whereas it has heretofore been found impracticable to ensure proper treatment in their own houses to many of the poorer classes, we authorize and require the said guardians or others, where it shall appear that such extraordinary aid is required, to provide suitable rooms or places, capable of accommodating necessitous cases, to which persons attacked by cholera, who cannot be properly treated in their own houses, may be conveyed.

XV. And we also authorize and require the said guardians or others, where it shall appear needful, to provide rooms or places of refuge to which may be removed the families of such necessitous persons as have been attacked with cholera, and also such necessitous persons living under the same roof with, or in the vicinity of, persons so attacked, as the medical officers acting under the authority of the said guardians or others may deem it necessary to remove; and the houses, rooms, or dwellings, from which persons may have been so removed to the houses of refuge, shall be cleansed and purified by the owners or persons having the care or ordering thereof, or, in their default, by the said guardians or others.

XVI. And on the occurrence of any case of cholera, or other epidemic, endemic, or contagious disease, in any room occupied by one family, or more, we hereby authorize and require the medical officer to remove, or cause to be removed, either the patient, or so many of the occupants of such room as he shall consider would, unless removed, tend to prevent the recovery of the patient, or endanger the spreading of the disease.

XVII. And in case of death by cholera, or any other epidemic, endemic, or contagious disease, we hereby authorize and require the last medical attendant upon the person of the deceased, or in case of there having been no medical attendant,

the housekeeper or person present at the death, or who is in charge of the body, forthwith to notify the fact of the death to the medical officer of the district who is charged with the execution of these orders for the prevention of the spread of such disease.

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c. 63.

And we do hereby authorize such medical officer to give such directions as may appear to him to be needful, in respect to the care, removal, and the time of interment of the body for preventing the communication or spread of disease.

&c. to notify
the fact to
the district
medical
officer.

And we hereby authorize and require all persons to give such information or such assistance to such medical officer, and to be otherwise aiding him as he may need in the execution of these orders.

Medical
officer to
give direc-
tions for the
care, re-
moval, &c. of
body.

All persons
to aid
medical
officer.

XVIII. And in the event of the fatal termination of any case of cholera, or of epidemic, endemic, or contagious disease, in any room occupied as a living or sleeping room by one family or more, or by numerous persons, we hereby authorize and require the medical officer to remove, or cause to be removed as speedily as may be, either the corpse or the persons occupying such rooms, until the corpse can be conveniently removed and properly interred.

In case of
death from
cholera, &c.
in a room
occupied by
one family
corpse or
persons to be
removed.

XIX. And we do hereby authorize and direct the said guardians or others to make arrangements for obtaining daily lists of persons attacked by cholera or other epidemic disease within their respective parishes or unions, with the particulars of their cases and treatment, and for communicating the same daily to the General Board of Health.

Guardians to
obtain daily
lists of
persons at-
tacked by
cholera, &c.
and transmit
same to the
general
board of
health.

XX. And we do hereby authorize and direct the said guardians or others, where it may appear needful, to appoint such additional medical officers, and also to appoint such other officers as may be necessary to execute and superintend the execution of these regulations, and to publish and circulate by printed hand-bills, or other means, notices of the provisions of the said act for the prevention of nuisances, and of our regulations and instructions, or of such part of any of them as it may appear desirable to make publicly known.

Guardians
may appoint
additional
medical,
and other
officers, and
to publish
and circulate
notices of
the pro-
visions of the
act, and
regulations.

Given under our hands, and under the seal of the General Board of Health, this 20th day of October, 1848.

CARLISLE.

EDWIN CHADWICK.

T SOUTHWOOD SMITH.



SANITARY REGULATIONS.

[From the *London Gazette*, November 21, 1848.]

THIRD NOTIFICATION.

THE General Board of Health having, under the authority of 11 & 12 VICT.
the statute, issued one set of orders, directing that the places c. 123.
frequently visited by epidemics should be sought out and examined,
and that measures of prevention should be carried into effect, as
far as practicable, by cleansing; having also, in addition to these
orders, issued special regulations for the direction of medical
relief in places where cases of cholera have appeared, and numerous
applications having, from time to time, been made to the Board
from other places for these special regulations,

It has appeared to the General Board of Health to be desirable
that these special orders and regulations should hereafter take
effect, without further notification, in all places forthwith, upon
the actual occurrence of cases of cholera, and by these orders and
regulations they do so provide.

In all cases, however, in which these orders are acted upon,
immediate notice of the fact must be sent to the General Board of
Health, and the medical officers will be required to notify, from
time to time, for the information of the Board, any progress which
the epidemic may make in their respective districts.

Signed by order of the Board,

HENRY AUSTIN, Secretary.

* * C

11 & 12 VICT.
c. 123.

To the Guardians of the Poor of the several Unions and Parishes named in the schedules hereunto annexed ;
To the Owners and Occupiers of Houses, Dwellings, Churches, Buildings, and Places of Assembly within the said Unions and Parishes, and others having the care and ordering thereof ;
And to all whom it may concern.

Whereas by the provisions of "The Nuisances Removal and Diseases Prevention Act, 1848," for the prevention of epidemic, endemic, and contagious diseases, and by virtue of an order of the Lords of Her Majesty's Most Honourable Privy Council, bearing date the 28th day of September, 1848, directing that the said provisions of the said act be put in force throughout the whole of Great Britain, we, the General Board of Health, are authorized to issue such directions and regulations as the said board shall think fit for the prevention, as far as possible, or mitigation of epidemic, endemic, or contagious diseases ; and whereas by the said act it is provided, that the directions and regulations to be issued as aforesaid shall extend to all parts or places in which the said provisions of the said act shall for the time being be in force under the order of Her Majesty's Privy Council, unless such directions and regulations shall be expressly confined to some of such parts or places, and then to such parts or places as in such directions and regulations shall be specified ; and whereas, in pursuance of the said act, we issued certain directions and regulations, bearing date the 3rd day of November instant, to extend to the unions and parishes mentioned in the schedules hereunto annexed, and to all extra-parochial places adjoining to such unions and parishes ; and whereas it appears to us expedient to issue the further directions and regulations hereinafter contained.

Now, in exercise of the authority vested in us as aforesaid, we, the General Board of Health, do issue the directions and regulations hereinafter contained, to extend to all parts and places within the several unions and parishes named in the schedules hereunto annexed, and to all extra-parochial places adjoining to such unions and parishes.

I. We direct that where it shall be certified to the guardians by their medical officer or officers, or where it shall otherwise sufficiently appear to such guardians that extraordinary medical aid is required for persons attacked or threatened by cholera, or epidemic, endemic, or contagious diseases, we authorize and require such guardians, without further notification, to provide sufficient medical

aid, and, in suitable places, such medicines as may be required within their respective unions and parishes for necessitous persons attacked by cholera or by premonitory symptoms, and to make arrangements for the distribution of notices, stating the places where aid and medicines shall have been provided. 11 & 12 VICT. c. 123.

II. Whereas it has heretofore been found impracticable to insure proper treatment in their own houses to many of the poorer classes, we authorize and require the said guardians, where it shall appear that such extraordinary aid is required, to provide suitable rooms or places, capable of accommodating necessitous cases, to which persons attacked by cholera, who cannot be properly treated in their own houses, may be conveyed.

III. And we also authorize and require the said guardians, where it shall appear needful, to provide rooms or places of refuge to which may be removed the families of such necessitous persons as have been attacked by cholera; and also such necessitous persons living under the same roof with or in the vicinity of persons so attacked, as the medical officer or officers acting under the authority of the said guardians may deem it necessary to remove; and the houses, rooms, or dwellings, from which persons may have been so removed to the places of refuge, shall be cleansed and purified by the owners or persons having the care or ordering thereof, or, in their default, by the said guardians.

IV. And on the occurrence of any case of cholera, or other epidemic, endemic, or contagious disease, in any room occupied by one family or more, we hereby authorize and require the medical officer to remove, or cause to be removed, either the patient, or so many of the occupants of such room as he shall consider would, unless removed, tend to prevent the recovery of the patient, or endanger the spreading of the disease.

V. And in case of death by cholera, or any other epidemic, endemic, or contagious disease, we hereby authorize and require the last medical attendant upon the person of the deceased, or, in case of there having been no medical attendant, the housekeeper or person present at the death, or who is in charge of the body, forthwith to notify the fact of the death to the medical officer of the district, who is charged with the execution of these orders for the prevention of the spread of such disease.

And we do hereby authorize such medical officer to give such directions as may appear to him to be needful, in respect to the care, removal, and the time of interment of the body, for preventing the communication or spread of disease.

And we hereby authorize and require all persons to give such

11 & 12 Vict. information, or such assistance, to such medical officer, and to be
c. 123. otherwise aiding him as he may need in the execution of these orders.

VI. And in the event of the fatal termination of any case of cholera, or of other epidemic, endemic, or contagious disease, in any room occupied as a living or sleeping room by one family or more, or by numerous persons, we hereby authorize and require the medical officer to remove, or cause to be removed, as speedily as may be, either the corpse or the persons occupying such room, until the corpse can be conveniently removed and properly interred.

VII. And we do authorize and direct the said guardians to make arrangements for obtaining daily lists of persons attacked by cholera, or other epidemic, endemic, or contagious disease, within their respective unions and parishes, with the particulars of their cases and treatment, and for communicating the same daily to the General Board of Health.

VIII. And we do hereby authorize and direct the said guardians, where it may appear needful, to appoint such additional medical officers, and also to appoint such other officers as may be necessary to execute and superintend the execution of these regulations; and to publish and circulate, by printed hand bills or other means, notices of our directions and regulations, or of such part of any of them as it may appear desirable to make publicly known.

IX. And we hereby direct, that in these directions and regulations, and in the directions and regulations already issued by us as aforesaid, the words "guardians of the poor," and the word "guardians," respectively, shall mean the guardians, directors, wardens, governors, or other like officers having the management of the poor for any union, parish, or place, where the matter requiring the cognizance of any such officers arises; and the word "parishes" shall include every place where the relief of the poor is administered by a board of guardians for such place.

Given under our hands and under the seal of the General Board of Health, this eighteenth day of November, one thousand eight hundred and forty-eight.

CARLISLE.

ASHLEY.

EDWIN CHADWICK.

T. SOUTHWOOD SMITH.

SANITARY REGULATIONS.

A *Supplement to the London Gazette* was published on November 4, containing the directions and regulations of the General Board of Health, and the following schedule, containing the names of the Unions to which those directions and regulations apply, viz. :—

Aberaeron, Abergavenny, Aberystwith, Abingdon, Alban (St.), Alcester, Alderbury, Alnwick, Alresford, Alton, Altrincham, Amersham, Amesbury, Ampthill, Andover, Anglesey, Asaph (St.), Ashbourne, Ashby-de-la-Zouch, Ashford (East), Ashford (West), Ashton-under-Lyne, Aston, Atcham, Atherstone, Auckland, Austel (St.), Axbridge, Axminster, Aylesbury, Aylesford (North), Aylsham.

Bakewell, Bola, Banbury, Bangor and Beaumaris, Barnet, Barnstaple, Barrow-upon-Soar, Basford, Basingstoke, Bath, Battle, Beaminster, Bedale, Bedford, Bedminster, Belford, Bellingham, Belper, Berkhamstead, Berwick-upon-Tweed, Beverley, Bicester, Bideford, Biggleswade, Billericay, Billesdon, Bingham, Bishop's Stortford, Blaby, Blackburn, Blean, Blofield, Blything, Bodmin, Bolton, Bootle, Bosmere and Claydon, Boston, Boughton (Great), Bourn, Brackley, Bradfield, Bradford (Wilts), Bradford (York), Braintree, Brampton, Brecknock, Brentford, Bridge, Bridgend and Cowbridge, Bridgwater, Bridgnorth, Bridlington, Bridport, Bristol, Brixworth, Bromley, Bromsgrove, Bromyard, Buckingham, Builth, Buntingford, Burnley, Burton-upon-Trent, Bury, Bury St. Edmunds.

Caistor, Calne, Cambridge, Camelford, Canterbury, Cardiff, Cardigan, Carlisle, Carmarthen, Carnarvon, Castleward, Catherington, Caxton and Arrington, Cerne, Chailey, Chapel-en-le-Frith, Chard, Cheadle, Chelmsford, Cheltenham, Chepstow, Chertsey, Chester, Chesterfield, Chester-le-Street, Chesterton, Chichester, Chippenham, Chipping Norton, Chipping Sodbury, Chorley, Chorlton, Christchurch, Church Stretton, Cirencester, Cleobury Mortimer, Clifton, Clitheroe, Clun, Clutton, Cockermouth, Colchester, Columb (St. Major), Congleton, Conway, Cookham, Corwen, Cosford, Coventry, Cranbrook, Crediton, Crickhowell, Cricklade and Wootton Bassett, Croydon, Cuckfield.

Darlington, Dartford, Daventry, Depwade, Derby, Devizes, Dewsbury, Docking, Dolgelly, Doncaster, Dorchester, Dore, Dorking, Dover, Downham, Drayton, Driffild, Droitwich, Droxford, Dulverton, Dunmow, Durham, Dursley.

Easington, Easingwold, Eastbourne, East Grinstead, Easthampstead, East Retford, Eastry, East Ward, Eccleshall Bierlow, Edmonton, Elham, Ellesmere, Ely, Epping, Epsom, Erpingham, Eton, Evesham, Exeter.

Faith (St.), Falmouth, Fareham, Faringdon, Farnham, Feversham, Festiniog, Flegg (East and West), Foleshill, Fordingbridge, Forehoe, Freebridge Lynn, Frome, Fulham, Fylde (the).

Gainsborough, Garstang, German's (St.), Giles (St., in the Fields) and George (St., Bloomsbury), Glanford Brigg, Glendale, Glossop, Gloucester, Godstone, Goole, Grantham, Gravesend and Milton, Greenwich, Guildford, Guilford, Guisborough.

Hackney, Hailsham, Halifax, Halstead, Haltwhistle, Hambleton, Hardingstone, Hartismere, Hartley Wintney, Haslingden, Hastings, Hatfield, Havant, Haverfordwest, Hay, Hayfield, Headington, Helmsley Blackmoor, Helston, Hemel Hempstead, Hendon, Henley, Henstead, Hereford, Hertford, Hexham, Highworth and Swindon, Hinckley, Hitchin, Holbeach, Holborn, Hollingbourn, Holsworthy, Holywell, Honiton, Hoo, Horncastle, Horsham, Houghton-le-Spring, Howden, Hoxne, Huddersfield, Hungerford, Huntingdon, Hursley.

Ipswich (St. Ives).

Keighley, Kendal, Kettering, Keynsham, Kidderminster, Kingsbridge, Kingsclere, King's Lynn, King's Norton, Kingston-upon-Thames, Kington, Kirby Moorside, Knighton.

Lampeter, Lancaster, Lanchester, Langport, Launceston, Ledbury, Leek, Leicester, Leigh, Leighton Buzzard, Leominster, Lewes, Lewisham, Lexden and Winstree, Leyburn, Lichfield, Lincoln, Linton, Liskeard, Llandilo Fawr, Llandoverly, Llanelly, Llanfyllin, Llanwrst, Loddon and Clavering, London (City of), London (East), London (West), Longtown, Loughborough, Louth, Ludlow, Luton, Lutterworth, Lymington.

Macclesfield, Machynlleth, Madeley, Maidstone, Maldon, Mallings, Malmsbury, Malton, Manchester, Mansfield, Market Bosworth, Market Harborough, Marlborough, Martley, Medway, Melksham, Melton Mowbray, Mere, Meriden, Merthyr Tidvil, Midhurst, Mildenhall, Milton, Mitford and Launditch, Monmouth, Montgomery and Poole, Morpeth, Mutford and Lothingland.

Nantwich, Narberth, Neath, Neots (St.), Newark, Newbury, Newcastle-in-Emlyn, Newcastle-under-Lyme, Newent, New Forest,

Newhaven, Newmarket, Newport (Monmouth), Newport (Salop), Newport Pagnell, Newton Abbot, Newtown and Lanidloes, Northallerton, Northampton, Northleach, Northwich, North Witchford, Norwich, Nottingham, Nuneaton.

Oakham, Okehampton, Olave's (St.), Oldham, Ongar, Ormskirk, Orsett, Oswestry, Oundle, Oxford.

Pateley Bridge, Patrington, Pembroke, Penkridge, Penrith, Penzance, Pershore, Peterborough, Petersfield, Petworth, Pewsey, Pickering, Plomesgate, Plymouth, Plympton (St. Mary), Pocklington, Pont-y-pool, Poole, Poplar, Portsea Island, Potterspurty, Prescott, Presteigne, Preston, Pwllheli.

Radford, Reading, Redruth, Reeth, Reigate, Rhayader, Richmond (Surrey), Richmond (Yorkshire), Ringwood, Risbridge, Rochdale, Rochford, Romford, Romney Marsh, Romsey, Ross, Rothbury, Rotherham, Royston, Rugby, Runcorn, Ruthin, Rye.

Saffron Walden, St. Margaret and St. John the Evangelist, Westminster; Salisbury, otherwise New Sarum; Salford, Samford, Saviour's (St.), Scarborough, Sculcoates, Sedberg, Sedgefield, Seisdon, Selby, Settle, Sevenoaks, Shaftesbury, Shardlow, Sheffield, Sheppey, Shepton Mallet, Sherbourne, Sheffnal, Shipston-upon-Stour, Shrewsbury, Skipton, Skirlaugh, Sleaford, Solihull, Southam, Southampton, South Molton, South Shields, South Stoneham, Southwell, Spalding, Spilsby, Stafford, Staines, Stamford, Stepney, Steyning, Stockbridge, Stockport, Stokesley, Stone, Stourbridge, Stow, Stow-on-the-Wold, Strand, Stratford-upon-Avon, Stratton, Stroud, Sturminster, Sudbury, Swaffham, Swansea.

Tamworth, Taunton, Tavistock, Teesdale, Tenbury, Tendring, Tenterden, Tetbury, Tewkesbury, Thakeham, Thame, Thanet (Isle of), Thetford, Thingoe, Thirsk, Thomas (St.), Thornbury, Thorne, Thrapston, Ticehurst, Tisbury, Tiverton, Todmorden, Tonbridge, Torrington, Totness, Towcester, Tregaron, Truro, Tunstead and Happing, Tyneham.

Uckfield, Ulverstone, Uppingham, Upton-upon-Severn, Uttoxeter, Uxbridge.

Wakefield, Wallingford, Walsall, Walsingham, Wandsworth and Clapham, Wangford, Wantage, Ware, Wareham Purbeck, Warminster, Warrington, Warwick, Watford, Wayland, Weardale, Wellingborough, Wellington (Salop), Wellington (Somerset), Wells, Welwyn, Wem, Weobly, Westbourne, West Bromwich, Westbury-upon-Severn, Westbury and Whorwelsdown, West Derby, West Eirle, West Ham, West Hampnett, West Ward, Weymouth, Wheatenhurst, Whitby, Whitechurch (Hants), Whitechapel, Whitehaven, Wigan, Wight (Isle of), Wigton, Williton,

Wilton, Wimborne and Cranborne, Wincanton, Winchcombe, Winchester (New), Windsor, Winslow, Wirrall, Wisbeach, Witham, Witney, Woburn, Wokingham, Wolstanton and Burslem, Woodbridge, Woodstock, Worcester, Worksop, Wortley, Wrexham, Wycombe.

Yeovil.

Also the following schedule of the names of the parishes to which the directions and regulations apply, viz.:—Alston with Garrigill, Birmingham, Brighthelmstone, East Stonehouse, Great Yarmouth, Leeds, Liverpool, Paddington, St. George, Hanover-square; St. George the Martyr, Southwark; St. George in the East; St. Giles, Camberwell; St. James, Clerkenwell; St. James, Westminster; St. Leonard, Shoreditch; St. Luke, Chelsea; St. Luke, Middlesex; St. Martin-in-the-Fields; St. Mary Abbots, Kensington; St. Mary, Islington; St. Marylebone; St. Mary, Lambeth; St. Mary, Magdalen, Bermondsey; St. Mary, Newington; St. Mary, Rotherhithe; St. Matthew, Bethnal Green; St. Pancras, Stoke Damerell, Stoke-upon-Trent, Whitchurch (Salop), Whittlesea, St. Mary and St. Andrew.

And finally the following schedule of towns, viz.:—Blandford, Dudley, Gateshead, Kingston-upon-Hull, Newcastle-upon-Tyne, Sunderland, Wolverhampton, and York.

THE
NUISANCES REMOVAL
 AND
DISEASES PREVENTION ACT, 1848;

BEING THE
 11 & 12 VICTORIA, C. 123,

INTITULED,

An Act to renew and amend an Act of the Tenth year of Her present Majesty, for the more speedy Removal of certain Nuisances, and the Prevention of contagious and epidemic Diseases.—[4th September, 1848.]

1. WHEREAS an Act passed in the tenth year of 9 & 10 Vict. Her Majesty's reign, for the more speedy removal of certain nuisances, and to enable the Privy Council to make regulations for the prevention of contagious and epidemic diseases, will expire at the end of the present session of Parliament; and it is necessary that other provision should be made in lieu thereof: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that in England and Ireland, upon receipt (or as soon afterwards as can be) by the Town Council, or by any trustees or commissioners for the drainage, paving, lighting, or cleansing, or managing or directing the police of any city, town, borough, or place, or by any other body of a like nature, or by any commissioners of sewers or guardians of the poor, or in Ireland by the officers of health of any parish, of a notice in writing in the form contained in the schedule (A.) to this act annexed, or to the like effect, signed by two or more inhabitant householders of the parish or place to which the notice relates, stating that, to the best of the knowledge and belief of the persons by whom such notice is signed, any

In England and Ireland certain public bodies, upon receipt of notice in writing from two householders, of the filthy condition of any building, or of the existence of certain nuisances, to cause examination to be made;

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and if upon
such exami-
nation, or a
medical cer-
tificate, it
appear that
the nuisance,
&c. exists,
public body
to make
complaint
before a

dwelling-house or building in any city, town, borough, parish, or place within or over which the jurisdiction or authority of the town council, trustees, commissioners, guardians, officers of health, or other body to whom such notice is given, extends, is in such a filthy and unwholesome condition as to be a nuisance to or injurious to the health of any person, or that upon any premises within such jurisdiction or authority there is any foul and offensive ditch, gutter, drain, privy, cesspool, or ashpit, or any ditch, gutter, drain, privy, cesspool, or ashpit kept or constructed so as to be a nuisance to or injurious to the health of any person, or that upon any such premises swine, or any accumulation of dung, manure, offal, filth, refuse, or other matter or thing, are or is kept so as to be a nuisance to or injurious to the health of any person, or that upon any such premises (being a building used wholly or in part as a dwelling-house), or being premises underneath any such building, any cattle or animal are or is kept so as to be a nuisance to or injurious to the health of any person, such town council, trustees, commissioners, guardians, officers of health, or other body, or some committee thereof which may be temporarily or permanently appointed in this behalf by such town council, trustees, commissioners, guardians, officers of health, or other body, shall, after twenty-four hours' notice in writing, by delivering the same to some person on the premises referred to in such first-mentioned notice, or (if there be no person upon the premises who can be so served) by fixing the same upon some conspicuous part of such premises (or in case of emergency without notice) by themselves, their servants or agents, with or without medical or other assistants, enter such premises, and examine the same with respect to the matters alleged in such first-mentioned notice, and do all such works, matters, and things as may be necessary for that purpose; and if upon such examination, or upon the certificate in writing of two legally qualified medical practitioners, it appear that any dwelling-house or building so examined is in such a filthy and unwholesome condition as aforesaid, or that upon any premises so examined there is any such ditch, gutter, drain, privy, cesspool, ashpit, swine, cattle, or animal, or any such accumulation or other matter or thing as aforesaid, such town council, trustees, commissioners,

guardians, officers of health, or other body, or such committee, shall make or cause to be made complaint before a justice, who shall thereupon issue a summons (which may be according to the form contained in the schedule (B.) to this act annexed, or to the like effect) requiring the owner or occupier of the premises examined to appear before two justices to answer such complaint; and such summons shall be served by delivering the same, or a true copy thereof, to some person upon the premises in respect whereof complaint is made, or (if there be no person upon the premises who can be so served) by fixing such summons or copy upon some conspicuous part of such premises; and if at the time and place appointed by such summons it be proved to the satisfaction of such justices that any dwelling-house or building in respect whereof complaint is made is in such a filthy and unwholesome condition as aforesaid, or that any such cause or causes of complaint as aforesaid exists or exist, and (in case such owner or occupier do not appear) that such summons or copy was served as aforesaid, such justices shall make an order in writing under their hands and seals (which order may be according to the form contained in the schedule (C.) to this act annexed, or to the like effect) for cleansing, whitewashing, or purifying such dwelling-house or building, or for the removal or abatement of any such cause or causes of complaint, in such manner and within such time as shall be specified in such order (not being more than two clear days, exclusive of Sunday, after service of such order as hereinafter directed); and such order shall be forthwith served by delivering the same or a true copy thereof to some person upon the premises in respect whereof it is made, or (in case there be no person upon the premises who can be so served) by fixing such order or copy upon some conspicuous part of such premises; and if such order be not complied with the owner or occupier against whom it is made shall be liable to a penalty not exceeding ten shillings for every day during the continuance of his default, and the town council, trustees, commissioners, guardians, officers of health, or other body mentioned therein, shall, by themselves, their servants or agents, or by such committee as aforesaid, their servants or agents, enter such last-mentioned premises, and cleanse, whitewash,

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c. 123

justice, who shall summon the owner or occupier to appear before two justices;

and who shall, upon proof, &c., order him to whitewash, &c., or remove the nuisance complained of;

and if such order be not complied with, the owner or occupier in default to be liable to penalties, and public body to enter the premises,

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and do the
works
ordered, or
remove the
nuisance.

or purify the same, or remove or abate the cause or causes of complaint in respect whereof the said order shall have been made, and do all such works, matters, and things as may be necessary for carrying such order into effect; and any dung, manure, offal, filth, or refuse, and any other matter or thing removed by any such town council, trustees, commissioners, guardians, officers of health, or other body as aforesaid, in pursuance of this enactment, may be destroyed or sold, and in case of sale the proceeds arising therefrom shall be paid to or (as the case may require) be retained by the guardians of the poor, and shall be by them applied in aid of the rate for the relief of the poor of the parish, electoral division, or place in which such removal shall have been made.

In Scotland
certain public
officers, upon
receipt of
notice in
writing from
two house-
holders of the
filthy condi-
tion of any
building, or
of the exist-
ence of cer-
tain nui-
sances, to
cause exami-
nation to be
made;

2. And be it enacted, that in Scotland, upon or as soon as can be after notice in writing in the form contained in the schedule (A.) to this act annexed, or to the like effect, signed by two or more of the inhabitant householders of the parish or place to which the notice relates, made to the procurator fiscal of any county, or the procurator fiscal or the dean of guild of any royal burgh, or the procurator fiscal of the justices of the peace of any county, or the commissioners of police or trustees for paving, lighting, or cleansing any city, town, burgh, parish, or place, or the inspector of the poor of any parish, stating that any dwelling-house or building within any royal burgh, or in any city, town, burgh, parish, or place, within or over which the jurisdiction or authority of any such procurator fiscal, or of such dean of guild, or commissioners of police, or trustees for paving, lighting, or cleansing, or inspector of the poor, extends, is in such a filthy and unwholesome condition as to be a nuisance to or injurious to the health of any person, or that upon any premises within such jurisdiction or authority there is any foul and offensive drain, ditch, gutter, privy, cesspool, or ashpit, or any drain, ditch, gutter, privy, cesspool, or ashpit kept or constructed so as to be a nuisance to or injurious to the health of any person, or that upon any such premises swine, or any accumulation of dung, manure, offal, filth, refuse, or other matter or thing, are or is kept so as to be a nuisance to or injurious to the health of any person, or that upon any such premises (being a building used wholly or in part as a

dwelling-house), or being premises underneath any such building, any cattle or animal are or is kept so as to be a nuisance to or injurious to the health of any person, it shall be competent to any such procurator fiscal or dean of guild, or the proper officer of such commissioners of police or trustees, or such inspector of the poor respectively, after twenty-four hours from the giving notice in writing by service thereof upon some person on the premises referred to in such first-mentioned notice, or (if there be no person upon the premises who can be so served) by fixing the same upon some conspicuous part of such premises, or in case of emergency without notice, by himself or others acting under his authority, with or without medical or other assistants, to enter such premises, and examine the same with respect to the matters alleged in such first-mentioned notice, and do all such works, matters, and things as may be necessary for that purpose; and if upon such examination, or upon the certificate in writing of two legally qualified medical practitioners, it appear that any dwelling-house or building so examined is in such a filthy and unwholesome condition as aforesaid, or that upon any premises so examined there is any such drain, ditch, gutter, privy, cesspool, ashpit, swine, cattle, or animal, or any such accumulation, or other matter or thing, as aforesaid, such procurator fiscal, dean of guild, officer, or inspector shall make, or cause to be made, complaint to the sheriff or magistrates or a justice, who shall thereupon order the owner or occupier of the premises examined to appear before such sheriff or magistrates or two justices to answer such complaint; and such order shall be served by delivering the same, or a true copy thereof, to some person upon the premises in respect whereof complaint is made, or (if there be no person upon the premises who can be so served) by fixing such order or copy upon some conspicuous part of such premises; and if at the time and place appointed by such order it be proved to the satisfaction of such sheriff or magistrates or justices that any dwelling-house or building in respect whereof complaint is made is in such a filthy and unwholesome condition as aforesaid, or that any such cause or causes of complaint as aforesaid exists or exist, and (in case such owner or occupier do not appear) that such order or copy was served as aforesaid, such sheriff or magis-

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c. 123.

and if upon such examination or a medical certificate it appear that the nuisance exists, public body to make complaint before the sheriff or a justice, who shall order the owner or occupier to appear;

and upon proof, &c. whitewashing, &c. or removal of the nuisance complained of, to be ordered.

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c. 123.

If such last-mentioned order be not complied with, owner or occupier in default to be liable to penalties, and the public officers to enter premises, and do the works ordered, or remove the nuisance.

Recovery of costs, &c. from owner or occupier of the premises.

trates or justices shall make an order in writing under their hands (which order may be according to the form contained in the schedule (C.) to this act annexed, or to the like effect,) for cleansing, whitewashing, or purifying such dwelling-house or building, or for the removal or abatement of any such cause or causes of complaint, in such manner and within such time as shall be specified in such order (not being more than two clear days, exclusive of Sunday, after service of such order), and such last-mentioned order shall be forthwith served by delivering the same, or a true copy thereof, to some person upon the premises in respect whereof it is made, or, in case there be no person upon the premises who can be so served, by fixing such order or copy upon some conspicuous part of such premises; and if such order be not complied with, the owner or occupier against whom it is made shall be liable to a penalty not exceeding ten shillings for every day during the continuance of his default, and the procurator fiscal or dean of guild or proper officer of the commissioners of police, or trustees or inspectors of the poor respectively, shall, by themselves or others acting under their authority, enter such last-mentioned premises, and cleanse, whitewash, or purify the same, or remove or abate the cause or causes of complaint in respect whereof the said last-mentioned order shall have been made, and do all such works, matters, and things as may be necessary for carrying such order into effect, and any dung, manure, offal, filth, or refuse, and any other offensive or noxious matter or thing removed in pursuance of this enactment, may be destroyed or sold, and in case of sale, the proceeds arising therefrom shall be paid to or (as the case may require) be retained by the parochial board for the management of the poor, and shall be by them applied in aid of the funds for the relief of the poor of the parish or place in which such removal shall have been made.

3. And be it enacted, that whenever any such order as aforesaid for cleansing, whitewashing, or purifying any dwelling-house or building, or for the removal or abatement of any such cause or causes of complaint as aforesaid, has been obtained, all costs and expenses reasonably incurred in obtaining such order, or in carrying the same into effect, shall be deemed to be money paid for the use and at the request of the

owner or occupier of the premises in respect whereof such costs and expenses shall have been incurred, and may be recovered as such by the said town councils, trustees, commissioners, guardians, officers of health, or other body, or by the said procurators fiscal, deans of guild, commissioners of police, or trustees and inspectors of the poor respectively, as such, in any county court, civil bill court, or (in Scotland) before the sheriff or magistrates or justices of the peace; or such town council, magistrates, trustees, commissioners, guardians, officers of health, or other body, or procurators fiscal, deans of guild, or inspectors of the poor, may, if they shall think fit, recover such costs and expenses before two justices, or, in Scotland, before the sheriff or magistrates or two justices, from the owner or occupier of the premises in respect of which such order is made; and any two justices, or, in Scotland, the sheriff or magistrates, or any two justices, upon the application of any such town council, magistrates, trustees, commissioners, guardians, officers of health, or other body, or procurator fiscal, dean of guild, or inspector of the poor, shall issue a summons, or, in Scotland, an order, requiring such owner or occupier to appear before them, or before him or them, at a time and place to be named therein; and at the time and place so named, upon proof to the satisfaction of such justices, or such sheriff or magistrates or justices, that any such costs and expenses have been so incurred as aforesaid, and (in case such owner or occupier do not appear) that a copy of such last-mentioned summons or order was served by delivering the same to some person on the premises in respect of which the costs and expenses were incurred, or, if there be no person upon the premises who can be so served, by fixing the same upon some conspicuous part of such premises, such justices, or such sheriff or magistrates or justices, unless they think fit to excuse the party summoned upon the ground of poverty or other special circumstances, shall, by order in writing, in England or Ireland under the hands and seals of such justices, or in Scotland under the hands of such sheriff or magistrates or justices, order him to pay the amount to the applicants, together with the costs attending such application and the proceedings thereon; and if the amount be not paid within seven days after demand, the same may, by warrant under the hands

11 & 12 VICT.
c. 123.

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c. 123.

and seals of the same or any other two justices, or, in Scotland, under the hands of the sheriff or magistrates or justices, by whom the last-mentioned order shall have been made, or any other two justices, be levied by distress and sale of the goods and chattels of the owner or occupier in default; and if no distress sufficient to satisfy the same can be found within the jurisdiction of the justices, or of the sheriff or magistrates or justices, by whom such warrant shall have been issued, and it so appear upon oath before two justices, or, in Scotland, before the sheriff or magistrates or two justices, of any other county or jurisdiction in which any goods or chattels of the defaulter may be, such last-mentioned justices, or sheriff or magistrates or justices; shall indorse their or his signatures or signature upon the last-mentioned warrant, and thereupon the amount to be levied, or so much thereof as may be unsatisfied, shall be levied of the last-mentioned goods and chattels, in the same manner as if such warrant had been originally and properly issued by the justices, or by the sheriff or magistrates or justices, of such last-mentioned county or jurisdiction.

Certain expenses of this act to be defrayed out of poor's rates, &c.

4. And be it enacted, that all costs and expenses reasonably incurred as aforesaid in carrying into effect any of the provisions hereinbefore contained, and not recovered from any owner or occupier of the premises in respect of which such expenses shall have been incurred, shall, upon an order in writing, specifying the sum to be paid, under the hands and seals of two justices, or, in Scotland, under the hands of the sheriff or magistrates or two justices (who are hereby required to make such order, upon proper application in this behalf,) be retained, paid, or defrayed by the treasurer of such guardians or parochial board, or by the overseers of the poor, or other proper officers or persons, out of the funds in their hands applicable to the relief of the poor, and shall be charged to the parish, electoral division, or place maintaining its own poor in which the premises in respect whereof such costs and expenses shall have been so incurred are situated, and in other places in England or Ireland out of any public rates or funds raised in such places, or applicable thereto under the authority of Parliament, or in case there be no such rates or funds as last aforesaid, then out of the funds for the relief of

the poor of the parish, electoral division, or place nearest adjoining, or if there be two or more parishes or places nearest adjoining, out of the funds for the relief of the poor of such one of them as two justices shall, by order in writing under their hands and seals, appoint: and in case any such costs or expenses shall have been incurred on account or in respect of any parish in Scotland in which it shall happen that there is not at the time an assessment for the relief of the poor imposed or levied, then the same shall be paid or defrayed out of an assessment to be imposed and levied for that purpose, and to the extent necessary, under and in the manner provided by an act of the ninth year of Her Majesty's reign, for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland; and if any such treasurer, overseers, or officers or persons, neglect or refuse to pay the sum specified in any order of justices, or of any sheriff or magistrates, made under this enactment, for the space of twenty-one days after the date of such order, the same may, by warrant under the hands and seals of the same or any other two justices, or, in Scotland, under the hands of the sheriff or magistrates or any two justices, by whom such order shall have been made, or any other two justices, be levied by distress and sale, together with the costs of such distress and sale, of the goods and chattels of the treasurer, overseers, or other officers or persons in default.

11 & 12 Vict.
c. 123.

8 & 9 Vict.
c. 83.

5. Provided always, and be it enacted, that nothing hereinbefore contained shall apply to any district, parish, or place in which the Public Health Act, 1848, or any part thereof, shall be in force, unless and except in so far as the General Board of Health, by order in writing, sealed with the seal of such board, and signed by two or more members thereof, or (in case there be no such board in existence) as one of Her Majesty's principal Secretaries of State, by order in writing under his hand, shall otherwise direct: provided also, that nothing in this act shall be construed to impair, abridge, or take away any power, jurisdiction, or authority which may at any time be vested in any commissioners of sewers, or to take away or interfere with any course of proceeding which might be resorted to or adopted by such commissioners if this act had not been passed.

Above provisions not to apply to districts and places in which the Public Health Act is in force.

Jurisdiction of Commissioners of Sewers not to be impaired.

6. And whereas by an act passed in the sixth year

11 & 12 Vict.
c. 143.

Surveyor of
highways
required to
cleanse open
ditches
adjoining
highways,
&c. 5 & 6
Vict. c. 50.
8 & 9 Vict.
c. 41.

of the reign of King William the Fourth, for consolidating and amending the laws relating to highways in England, the surveyor and district surveyor or assistant surveyor therein mentioned are empowered to scour, cleanse, and keep open all ditches, gutters, drains, or watercourses; and by an act passed in the ninth year of Her Majesty's reign, for amending the laws concerning highways, bridges, and ferries in Scotland, the trustees or surveyors therein mentioned are empowered to cleanse the ditches made or to be made along the sides of any highway, in case of the neglect or refusal of the proprietor or occupier to cleanse such ditches when duly required so to do by such trustees or surveyors; and with a view to the more effectual removal of nuisances injurious to health it is expedient that such surveyor, district surveyor, or assistant surveyor, trustees or surveyors, should not only be empowered but required to scour, cleanse, and keep clear, or cause to be scoured, cleansed, and kept clear, as far as may be practicable, all open ditches, gutters, drains, and watercourses upon, adjoining, or by or along the sides of any highway: be it therefore enacted, that the said surveyor, or district or assistant surveyor, trustees or surveyors, shall scour, cleanse, and keep clear, or cause to be scoured, cleansed, and kept clear, as far as may be practicable, all open ditches, gutters, drains, and watercourses upon, adjoining, or by or along the sides of any highway; and any sewage, drainage, soil, filth, or other matter or thing whatsoever which shall be removed by any such surveyor, district or assistant surveyor, trustees or surveyors, from any such ditch, gutter, drain, or watercourse, in scouring, cleansing, and keeping clear the same, shall be disposed of by such surveyor, assistant or district surveyor, trustees or surveyors, and the proceeds arising therefrom shall be applied towards the repair of the highway within the parish or place in which such removal shall have taken place; and the provisions hereinbefore contained with respect to ditches, gutters, drains, and watercourses upon, adjoining, or by or along the sides of highways, shall, in so far as the same relate to England, be deemed to be part of the said act relating to highways in England, and in so far as the same relate to Scotland shall be deemed to be part of the said act relating to highways in Scotland.

7. And be it enacted, that whosoever shall suffer any sewage, drainage, soil, filth, or any matter or thing of a noxious or offensive nature, to run or flow into or to remain in any open ditch, gutter, drain, or watercourse, so as to be a nuisance to or injurious to the health of any person, from any dwelling-house, building, or other premises which shall not have been occupied before the passing of this act, or from any privy or water-closet which shall not have been constructed before that time, shall be deemed guilty of a misdemeanor, or in Scotland of an offence punishable by fine or imprisonment, and shall, in addition, be liable for every such offence to a penalty not exceeding five pounds for every day during which the offence is continued.

11 & 12 Vict.
c. 123.

Drainage
into open
ditches fr
new houses a
misdemea-
nor, &c.

8. And be it enacted, that whenever it is intended to build or open any hospital for the reception of patients afflicted with contagious or infectious diseases or disorders, the trustees or other persons by whose authority such hospital is intended so to be built or opened as aforesaid shall give notice of such intention to the said General Board of Health or (in Ireland) to the Commissioners of Health hereinafter mentioned; and no such hospital shall be built or opened as aforesaid until the said General Board of Health or Commissioners of Health, as the case may be, have approved thereof in writing; but nothing herein contained shall apply to the building or opening of any addition to a building which shall have been used as a hospital previously to such addition.

Notice to be
given to
General
Board of
Health, and
in Ireland to
Commission-
ers of Health,
of intention
to build or
open certain
hospitals, &c.

9. And whereas it is expedient that when any part of the United Kingdom shall appear to be threatened with or affected by any formidable epidemic, endemic, or contagious disease, measures of precaution should be taken with promptitude, according to the exigency of the case: be it therefore enacted, that in Great Britain the Lords and others of Her Majesty's most Honourable Privy Council, or any three or more of them, (the Lord President of the Council, or one of Her Majesty's principal Secretaries of State, being one,) and in Ireland the Lord Lieutenant or other chief governor or governors and Privy Council in Ireland, may, by order or orders to be by them from time to time made, direct that the provisions hereinafter contained for the prevention of epidemic, endemic, and contagious diseases be put in force in

Privy
Council, &c.,
empowered
to issue
orders for
putting in
force the
provisions of
this act
relative to
the preven-
tion of
epidemic
diseases, &c.

11 & 12 Vict.
c. 123.

Great Britain and Ireland respectively, or in such parts thereof or in such places therein respectively as in such order or orders respectively may be expressed, and may from time to time, as to all or any of the parts or places to which any such order or orders may extend, and in like manner, revoke or renew any such order, and, subject to revocation and renewal as aforesaid, every such order shall be in force for six calendar months, or for such shorter period as in such order shall be expressed.

After order
by Privy
Council,
General
Board of
Health, &c.
may issue
directions
and regula-
tions.

10. And be it enacted, that from time to time after the issuing of any such order as last aforesaid, and whilst the same shall continue in force, the General Board of Health (in Great Britain), under the seal of the said board, and the hands of two or more members thereof, and in Ireland the Commissioners of Health for the time being, under the hands of two or more of them, may issue such directions and regulations as the said board or last-mentioned commissioners (as the case may be) shall think fit for the prevention, as far as possible, or mitigation, of such epidemic, endemic, or contagious diseases, and from time to time, in like manner, revoke, renew, and alter any such directions or regulations, or substitute such new directions and regulations as to the said board or last-mentioned commissioners may appear expedient; and the said board or last-mentioned commissioners, as the case may be, may by such directions and regulations provide for the frequent and effectual cleansing streets and public ways and places by the surveyors, of district or assistant surveyors of highways, trustees, county surveyors, and others by law entrusted with the care and management thereof, or by the owners and occupiers of houses and tenements adjoining thereto, and for the cleansing, purifying, ventilating, and disinfecting of houses, dwellings, churches, buildings, and places of assembly, by the owners or occupiers and persons having the care and ordering thereof, for the removal of nuisances, for the speedy interment of the dead, and generally for preventing or mitigating such epidemic, endemic or contagious diseases, in such manner as to the said board or last-mentioned commissioners (as the case may be,) may seem expedient; and the said board or last-mentioned commissioners may by any such directions and regulations authorize and require the Guardians of the Poor in Eng-

land and Ireland, and the parochial boards for the management of the poor in Scotland, by themselves or their officer or any persons employed by them in the administration of the laws for the relief of the poor, or by officers specially appointed in this behalf to superintend and see to the execution of any such directions and regulations, and (where it shall appear that there may be default or delay in the execution thereof, by want or neglect of such surveyors, trustees, or others intrusted as aforesaid, or by reason of poverty of occupiers, or otherwise,) to execute or aid in executing the same within their respective unions and parishes and combinations, and in any extra-parochial places adjoining to or surrounded by the same in which the directions and regulations of the said board or last-mentioned commissioners shall not be executed by the inhabitants, and to provide for the dispensing of medicines and for affording to persons afflicted by or threatened with such epidemic, endemic, or contagious diseases such medical aid as may be required, and to do and provide all such acts, matters, and things as may be necessary for superintending or aiding in the execution of such directions and regulations, or for executing the same as the case may require; and the directions and regulations to be issued as aforesaid shall extend to all parts or places in which the provisions of this act for the prevention of epidemic, endemic, or contagious diseases shall for the time being be put in force under such orders as aforesaid, unless such directions and regulations shall be expressly confined to some of such parts or places, and then to such parts or places as in such directions and regulations shall be specified, and (subject to the power of revocation and alteration herein contained) shall continue in force so long as the said provisions of this act shall be in force, under such orders, in the parts or places to which such directions and regulations shall under this provision extend: provided always, that if at any time in Ireland there shall not be any Commissioners of Health the Lord Lieutenant or other chief governor or governors of Ireland, by his or their warrants, may appoint so many persons as he or they may think fit, not being more in number than five, to act as Commissioners of Health in Ireland, without salary, fee, or reward, and may from time to time remove

11 & 12 VICT.
c. 123.

11 & 12 VICT. any of such commissioners, and appoint any other
c. 123. person in his stead; and such commissioners shall for
all purposes be Commissioners of Health in Ireland
within the meaning and for the purposes of this Act.

11. And be it enacted, that Her Majesty may from
time to time, during the continuance of any order of
Her Majesty's Privy Council or of any members thereof
as aforesaid by warrant under the royal sign manual,
appoint, in addition to the members for the time be-
ing of the General Board of Health, one fit person to be
a medical member of such board for the purposes of
this act, and Her Majesty may, at her pleasure remove
any person so appointed; and there shall be paid to
the person or persons so appointed such allowance or
allowances as shall be appointed by the commissioners
of Her Majesty's treasury, out of any moneys which
may from time to time be appointed by Parliament
for that purpose.

12. And be enacted, that the commissioners for
administering the laws for the relief of the poor in
England and Ireland respectively, and the board of
supervision established under the said act for the
amendment and better administration of the laws
relating to the relief of the poor in Scotland, may
require the officers and persons acting under them to
inquire into, superintend, and report on the execution
of the directions and regulations of the General Board
of Health, or Commissioners of Health, as the case may
be, under this act, and shall have the same powers for
enforcing and directing the execution of such direc-
tions and regulations by the said guardians and
parochial boards respectively as they now or may
hereafter have in relation to any matter concerning
the administration of the laws for the relief of the
poor.

13. And be it enacted, that the said guardians and
parochial boards acting in the execution of any such
directions or regulations as aforesaid, or the officers
or persons by them in this behalf authorized, at rea-
sonable times in the daytime, may and they are here-
by empowered to enter and inspect any dwelling or
place, if there be ground for believing that any person
may have recently died of any such epidemic, endemic,
or contagious disease in any such dwelling or place,
or that there is any filth or other matter dangerous to

One medical
member of
General
Board of
Health may
be appointed.

Treasury to
pay allow-
ances ap-
pointed by
Parliament.

Poor Law
Commis-
sioners, &c.,
may compel
guardians,
&c. to exe-
cute regula-
tions and
directions of
the General
Board of
Health, &c.

Power of
entry for the
purpose of
enforcing
regulations
of the Gene-
ral Board of
Health, &c.

health therein or thereupon, or that necessity may otherwise exist for executing, in relation to the premises, all or any of such directions and regulations as aforesaid.

11 & 12 Vict.
c. 123.

14. And be it enacted, that the said guardians and parochial boards may appoint or employ, for the superintendence and execution of the said directions and regulations, officers or persons in aid of the officers or persons employed in the administration of the laws for the relief of the poor; and such guardians and parochial boards respectively shall defray the expenses incurred by them respectively in the superintendence and execution of such directions and regulations out of the funds of their respective unions, parishes, or combinations; and if any such expenses shall have been incurred on account or in respect of any extra-parochial place in England or Ireland, the same shall, upon an order in writing specifying the sum to be paid, under the hands and seals of two justices, who are hereby empowered to make such order, upon proper application in this behalf, be paid or defrayed out of any public rates or funds raised therein or applicable thereto under the authority of Parliament, or in case there be no such rates or funds as last aforesaid, then out of the funds of the union or parish for which the guardians by whom the expenses have been incurred act; and in case any such expenses shall have been incurred on account or in respect of any parish in Scotland in which it shall happen that there is not at the time an assessment for the relief of the poor imposed or levied, then the same shall be paid or defrayed out of an assessment to be imposed and levied for that purpose, and to the extent necessary, under and in the manner provided by the said act for the amendment and better administration of the laws relating to the relief of the poor in Scotland.

Expenses of
guardians,
&c. to be
paid out of
poor-rate,
&c.

8 & 9 Vict.
c. 83.

15. And be it enacted, that every order of Her Majesty's Privy Council, or of the Lord Lieutenant and Privy Council of Ireland, and every direction and regulation of the said General Board of Health or Commissioners of Health under this act, shall, forthwith upon the issuing thereof, be laid before both Houses of Parliament, if Parliament be then sitting, and if not then within fourteen days next after the commencement of the then next session of Parliament,

Orders,
directions,
and regula-
tions to be
laid before
Parliament,
and to be
gazetted, &c.

11 & 12 Vict.
c. 123.

and every such order of Her Majesty's Privy Council, or any members thereof, as aforesaid, shall be certified under the hand of the clerk in ordinary of Her Majesty's Privy Council, and shall be published in the *London Gazette*, and every such order of the Lord Lieutenant and Privy Council of Ireland shall be certified under the hand of one of the clerks of the Privy Council of Ireland, and shall be published in the *Dublin Gazette*; and every such direction and regulation as aforesaid when issued in Great Britain shall be published in the *London Gazette* and in the *Edinburgh Gazette*; and when issued in Ireland in the *Dublin Gazette*, and such publication of any such order, direction, or regulation shall be conclusive evidence of the order, direction, or regulation so published, to all intents and purposes.

Penalties for
obstructing
execution of
this act.

16. And be it enacted, that whosoever shall wilfully obstruct any person acting under the authority or employed in the execution of this act, or who shall wilfully violate any direction or regulation issued by the General Board of Health, or such Commissioners of Health as aforesaid under this act, shall be liable for every such offence to a penalty not exceeding five pounds; and if the occupier of any premises prevent the owner thereof from obeying or carrying into effect the provisions of this act, any justice, or in Scotland the sheriff or any justice, to whom application is made in this behalf, shall by order in writing (which may be according to the form contained in the schedule (D.) to this act annexed, or to the like effect), require such occupier to permit the execution of the works required to be executed, provided that such works appear to such sheriff or justice to be necessary for the purpose of obeying or carrying into effect the provisions of this act; and if within a reasonable time after the making of such order the occupier against whom it is made refuse to comply therewith, he shall be liable to a penalty not exceeding five pounds for every day afterwards during the continuance of such refusal.

Recovery of
penalties in
England or
Ireland,

17. And be it enacted, that penalties imposed by this act for offences committed in England or Ireland may be recovered by any person before any two justices, and may be levied by distress and sale of the goods and chattels of the offender, together with the costs of such distress and sale, by warrant under the

hands and seals of the justices before whom the same shall be recovered, or any other two justices ; and in case it shall appear to the satisfaction of such justices, before or after the issuing of such warrant, either by the confession of the offender or otherwise, that he hath not goods and chattels within their jurisdiction sufficient to satisfy the amount, they may commit him to any gaol or house of correction for any time not exceeding fourteen days, unless the amount be sooner paid, in the same manner as if a warrant of distress had issued and a return of *nulla bona* been made thereon ; and penalties imposed by this act for offences in Scotland may be recovered by the procurator fiscal of the court, or by any other person, before the sheriff or two justices, who may proceed in a summary way, and grant warrant for bringing the parties complained upon immediately before him or them, and on proof on oath by one or more credible witness or witnesses, or other legal evidence, he or they may forthwith determine and give judgment, without any written pleadings or record of evidence, and grant warrant for the recovery of the penalties and expenses decerned for, and, failing payment within eight days after conviction, by poinding, and imprisonment for a period, at the discretion of the sheriff or justices, not exceeding fourteen days ; and all penalties whatsoever recovered under this act shall be paid to or (as the case may require) be retained by the guardians of the poor, or, in Scotland, the parochial board for the management of the poor, and shall be by them applied in aid of the rates or funds for the relief of the poor of the parish, electoral division, or place in which the penalties may have been incurred.

11 & 12 Vict.
c. 123.

and in Scot-
land.

Application
of penalties.

18. And be it enacted, that in case of any demand or complaint under this act to which two or more owners or occupiers of premises may be jointly answerable, it shall be sufficient to proceed against any one or more of them, without in any manner proceeding against the others or other of them ; but nothing herein contained shall prevent the parties so proceeded against from recovering contribution in any case in which they would now be entitled to contribution by law.

One or more
of several
joint owners
or occupiers
may be pro-
ceeded
against
alone.

19. And be it enacted, that wherever in any proceeding under this act, whether written or otherwise, it shall become necessary to mention, or refer to the

Unnecessary
to describe
owner or
occupier by

11 & 12 Vict.
c. 123.

name in cer-
tain cases.

Proceedings
not to be
quashed for
want of form.

Proceedings
commenced
under
9 & 10 Vict.
c. 96, may
be enforced,
although
that act has
expired.

Interpreta-
tion of
terms.

owner or occupier of any premises, it shall be sufficient to designate him as the "owner" or "occupier" of such premises, without name or further description.

20. And be it enacted, that no order, nor any other proceeding, matter, or thing done or transacted in or relating to the execution of this act, shall be vacated, quashed, or set aside for want of form, or be removed or removable by *certiorari*, or by suspension or advocacy, or other writ or process whatsoever, into any of the superior courts.

21. And be it enacted, that all proceedings whatsoever commenced or taken or to be commenced or taken under the said first-recited act of the tenth year of Her Majesty's reign, and which shall not have been completed and enforced, whilst the last-mentioned act continues in force, may be proceeded with and enforced under the provisions of that act, although such provisions be no longer in force, in the same manner in all respects and to all intents and purposes as if the same continued to be in force, and as if the said last-mentioned act had not expired.

22. And be it enacted, that in this act the following words and expressions shall have the meanings hereinafter assigned to them, unless such meanings be repugnant to or inconsistent with the context; (that is to say,) the words "justice" and "justices" shall mean a justice or justices of the peace acting for the place where the matter or any part of the matter, as the case may be, requiring the cognizance of the "justice" or "justices" arises; the expression "two justices" shall mean two or more justices assembled and acting together, or one stipendiary or police magistrate acting in any police court for the place in which the matter or any part of the matter, as the case may be, requiring the cognizance of "two justices," arises; the word "sheriff" shall mean the sheriff of any county or place in Scotland where the matter requiring the cognizance of the "sheriff" arises, and shall include the sheriff substitute; the word "magistrates" shall mean the magistrates of any royal burgh in Scotland where the matter requiring cognizance arises; the words "guardians of the poor" and the words "parochial board" shall mean the guardians, directors, wardens, governors, parochial board, or other like officers having the

management of the poor for any union, parish, combination, or place where the matter requiring the cognizance of any such officers arises; the word "street" shall include every highway, road, square, row, lane, mews, court, alley, and passage, whether a thoroughfare or not; the word "owner" shall mean any person receiving the rents of the property in respect of which that word is used from the occupier of such property, on his own account, or as trustee or agent for any other person, or who would receive the same if such property were let to a tenant; the word "person," and words applying to any person or individual, shall apply to and include corporations, whether aggregate or sole; and words and expressions importing the singular number shall include the plural number, and words importing the masculine gender shall include females.

11 & 12 VICT.
c. 123.

23. And be it enacted, that in citing this act in other acts of Parliament, and in legal instruments and other proceedings, it shall be sufficient to use the words "The Nuisances Removal and Diseases Prevention Act, 1848."

Mode of
citing this
act.

24. And be it enacted, that this act may be amended or repealed in this present session of Parliament.

Act may be
amended, &c.

SCHEDULE (A.)

Notice by Householdors.

11 & 12 VICT. To the Town Council of the borough of [or Guar-
 c. 123. dians of the Poor of the union or the parish of
 in the county of or as the case may be ; or, in
Scotland, to the Procurator Fiscal of the county of
 or to the Procurator Fiscal or Dean of Guild of the burgh of
 or to the Procurator Fiscal of the justices of the
 county of or to the Inspector of the poor of the
 parish of or as the case may be.]

WE, the undersigned inhabitants [or in Scot-
land householders] of [insert the parish or place]
 and residing at in [insert the parish or place
before mentioned] aforesaid, do hereby give you notice, that to
 the best of our knowledge and belief a dwelling-house [or build-
 ing] situate at No. in street in
 aforesaid [or such other description as may be sufficient to
identify the premises] is in such a filthy and unwholesome con-
 dition as to be a nuisance to [or injurious to the health of] A. B.
 or as the case may be, [or that upon certain premises situate
 at [inserting such a description as may be sufficient to identify
the premises] there is a foul and offensive drain, ditch, gutter,
 privy, cesspool, or ashpit, or a drain, &c., kept or constructed
 so as to be a nuisance to us, or to the occupiers of the premises
 adjoining the premises aforesaid, or as the case may be, or that
 upon certain premises situate at, &c., swine, or an accumulation
 of dung, manure, offal, filth, refuse, or matter, or as the case
 may be, are or is kept so as to be injurious to our health, or to
 the health of A. B., or of the occupiers of the premises adjoining
 the premises, aforesaid, or of persons living in the neighbour-
 hood, or of the persons living in the premises aforesaid, as the
 case may be, or that upon certain premises, &c., swine, &c. are
 kept so as to be a nuisance to us, &c. as the case may be].
 And we hereby require that you will cause such proceedings to
 be taken as are directed in this behalf by the "Nuisances Re-
 moval and Diseases Prevention Act, 1848."

Dated this day of one thousand eight
 hundred and

A.B.
 C.D.

SCHEDULE (B.)

Summons to appear.

To the owner [or occupier] of a dwelling-house [or building,
 or of certain premises,] situate at [insert such a description
 as may be sufficient to identify the premises].

11 & 12 Vict.
 c. 123.

County of
 [or Borough, &c.]
 of
 Metropolitan Police
 District, or as the
 case may be }
 to wit. } WHEREAS complaint hath been made to
 the undersigned, one of Her Majesty's
 justices of the peace acting in and for
 the said county of [or borough,
 &c. of], or one of the magis-
 trates of the police courts of the metropolis holden at
 [or as the case may be], by the town council of the borough of
 [or as the case may be], that a certain dwelling-house
 [or building] situate at No. in the parish of
 [or as the case may be] in the county of [or such
 other description as may be sufficient to identify the premises]
 is in such a filthy and unwholesome condition as to be a nuisance
 to or injurious to the health of A. B., or as the case may be,
 [or that upon certain premises situate at [inserting such a
 description as may be sufficient to identify the premises] there
 is a foul and offensive drain, [ditch, gutter, privy, cesspool, or
 ashpit, or a drain, &c., kept or constructed so as to be a nui-
 sance to A. B., &c., [as the case may be], or that swine [or an
 accumulation of dung, manure, offal, filth, refuse, or matter, or
 as the case may be,] are [or is] kept so as to be injurious to
 the health of A. B. or of the occupiers of the premises adjoining
 the premises aforesaid, or of persons living in the neigh-
 bourhood of the premises aforesaid, or of persons living in the
 premises aforesaid, or a nuisance to A. B., &c., as the case may
 be]. These are therefore to require you to appear before two
 of Her Majesty's justices of the peace [or one of the magistrates
 of the police courts of the metropolis, at the court holden at
] on the day of next, at the hour
 of to answer the matter of the said complaint.

Given under my hand and seal, this day of in
 the year of our Lord one thousand eight hundred and

J. K. (L. s.)

SCHEDULE (C.)

Order for removal of Nuisances, &c.

11 & 12 Vict.
c. 123.

To the owner [or occupier] of the dwelling-house [or building or premises] situate at No. in street in the parish of in the county of [or such other description as may be sufficient to identify the premises], and to the Town Council of the borough of [or to the Guardians of the Poor of the union, or of the parish of in the county of or, in Scotland, the Procurator Fiscal of the county of or the Procurator Fiscal or Dean of Guild of the burgh of or the Procurator Fiscal of the justices of the peace of the county of or the Inspector of the Poor of the parish of as the case may be], and to their servants or agents, and to all whom it may concern.

County of
[or borough, &c.
of or
Metropolitan Police
District, or as the
case may be]
to wit.

WHEREAS on the day of last complaint was made before the undersigned [or before J. K. esquire, one of Her Majesty's justices of the peace acting in and for the county of [or before the undersigned, or J. K. esquire, one of the magistrates of the police courts of the metropolis, or as the case may be,] by the town council of the borough of [or by the guardians of the poor of the union, or of the parish of in the county of ; or, in Scotland, by the procurator fiscal of the county of or by the procurator fiscal or dean of guild of the burgh of or by the procurator fiscal of the justices of the peace of the county of or by the inspector of the poor of the parish of as the case may be], that a dwelling-house [or building] situate at No. in street in [the parish or place before mentioned aforesaid, [or such other description as may be sufficient to identify the premises,] then was in such a filthy and unwholesome condition as to be a nuisance [or injurious to the health of] A. B., or as the case may be, [or that upon certain premises situate at [inserting such a description as may be sufficient to identify the premises] there then was a foul and offensive drain, [ditch, gutter, privy, cess-pool, or ashpit, or a drain, &c., kept or constructed so as to be a nuisance to A. B. &c., as the case may be], or that

upon certain premises, situate &c., swine, or an accumulation of dung, manure, offal, filth, or refuse, as the case may be, are or is kept so as to be injurious to the health of A. B., or of the occupiers of the premises adjoining the premises first aforesaid, or of persons living in the neighbourhood of the premises first aforesaid, or of persons living in the premises first aforesaid, or so as to be a nuisance to A. B., &c.: And whereas the owner [or occupier] of the said dwelling-house, building, or premises having this day appeared before us, two of Her Majesty's justices of the peace acting in and for the county [or borough] of [or before me, one of the magistrates of the police courts of the metropolis, or, in Scotland, before the sheriff or magistrates or two justices of the peace, as the case may be], to answer the matter of the said complaint [or in case the party charged do not appear]: And whereas it hath this day been proved to our [or my] satisfaction, that a true copy of a summons requiring the owner [or occupier] of the said dwelling-house [or building or premises] to appear this day before us [or me] has been duly served according to the statute in such case made and provided], and it having been proved [or also proved, as the case may require,] that the said dwelling-house [or building] is in such a filthy and unwholesome condition as aforesaid [or that upon the premises aforesaid [or first aforesaid] there is a foul and offensive drain [privy, cesspool, or ashpit, or a drain, &c. kept or constructed so as to be a nuisance to A. B., &c., as the case may be], or that upon the premises aforesaid, or first aforesaid, an accumulation of dung, manure, offal, filth, or refuse, or as the case may be, is kept, or a pigstye exists, so as to be injurious to health as aforesaid or so as to be a nuisance to A. B., &c., as the case may be]: We [or I] do hereby, in pursuance of the statute in such case made and provided, order the said owner [or occupier] of the said dwelling-house [or building, or premises, or first-mentioned premises within hours from the service of this order [or a true copy thereof], according to the statute in such case made and provided, to cleanse [whitewash or purify] the said dwelling-house [or to cleanse, cover, or fill up, or as the case may require, the said drain, [ditch, gutter, privy, cesspool, or ashpit, or otherwise as the case may require], or remove the said pigstye or accumulation of dung, offal, filth, refuse, or matter, as the case may be, so that the same shall not be injurious to health, or a nuisance, as aforesaid]; and if this order be not complied with, then we [or I] authorize and require you the said town council [or guardians of the poor, or, in Scotland, the procurator fiscal of the county of or the procurator fiscal or dean of guild of the burgh of or the procurator of the justices of the peace of the county of or the inspector of the poor of the parish of as the case may be] to enter upon the said dwelling-house, [or building, or premises, or first-mentioned premises,] and to do all such works, matters, and

11 & 12 VICT.
c. 123.

And for your so doing this shall be your sufficient warrant.

And for your so doing this shall be your sufficient warrant.

Given under our hands and seals [*or my hand and seal, or, in Scotland, our hands, or my hand*], this day of
one thousand eight hundred and

Signatures. $\left\{ \begin{array}{l} (\text{L. S.})^* \\ (\text{L. S.})^* \end{array} \right.$

* [*In Scotland without seals.*]

SCHEDULE (D.)

Order to permit execution of works by owners.

County of
[or borough, or
burgh, or
Metropolitan Police
District, or as the
case may be]
to wit.

WHEREAS complaint hath been made to me, E. F. esquire, one of Her Majesty's justices of the peace in and for the county [or borough, &c.] of [or one of the magistrates of the police courts of the metropolis, or as the case may be, or, in Scotland, to me G. H., sheriff, or one of Her Majesty's justices of the peace, as the case may be, of the county of], by A. B., owner within the meaning of the "Nuisances Removal and Diseases Prevention Act, 1848," of certain premises, to wit, a dwelling-house [or building, or as the case may be], situate [insert such a description of the premises as may be sufficient to identify them], in the parish of in the said county [or borough, &c.], that C. D., the occupier of the said premises, doth prevent the said A. B. from obeying and carrying into effect the provisions of the said act, in this, to wit, that he the said C. D. doth prevent the said A. B. from [here describe the works generally according to the circumstances; for instance, thus: cleansing or whitewashing or purifying the said dwelling-house, [or building,] or cleansing a foul and offensive drain [ditch, gutter, privy, cesspool, or ashpit] which exists upon the said premises, or as the case may require]: And whereas the said C. D. having been summoned to answer the said complaint, and not having shown sufficient cause against the same, and it appearing to me that the said works are necessary for the purpose of enabling the said A. B. to obey and carry into effect the provisions of the said act, I do hereby order that the said C. D. do permit the said A. B. to execute the same in the manner required by the said act.

Given under my hand and seal [*or, in Scotland, under my hand*] this day of in the year of our Lord one thousand eight hundred and

E. F. (L. S.)*

* [*In Scotland without seal.*]

THE
NUISANCES REMOVAL
 AND
DISEASES PREVENTION AMENDMENT ACT,
 1849,

BEING THE 12 & 13 VICTORIA, C. 111,

INTITULED,

An Act to amend the Nuisances Removal and Diseases Prevention Act, 1848.—[1st August, 1849.]

1. WHEREAS it is expedient that the Nuisances Removal and Diseases Prevention Act, 1848, should be amended, and that the powers of the General Board of Health in relation to certain of the purposes of that act should be extended: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that this act shall be deemed to be part of the Nuisances Removal and Diseases Prevention Act, 1848, and shall be construed accordingly.

11 & 12 Vict.
c. 123.

This act to be construed with Nuisances Removal and Diseases Prevention Act, 1848, as one act.

2. And be it enacted, that it shall be lawful for the General Board of Health, or any two of the members thereof, from time to time as such board shall see occasion, to require, by summons under the seal of the said board, or if by two only of the members of such board, then under the hands of such two members and the seal of the said board (according to the form in the schedule annexed to this act, or as near thereto as the case will permit), any person to appear before such board to testify on oath the truth touching any matters respecting which the said board are now or may hereafter be authorized to inquire (which oath any member of the said board is hereby empowered to administer); and every person who, after tender of reasonable expenses in that behalf, shall not appear pursuant to such summons, or shall not assign some reasonable excuse for not so

Power to summon witnesses, &c. in certain cases.

12 & 13 VICT.
c. 111.

Secretary of
Board of
Health may
institute and
carry on
prosecution
for violation
or neglect of
regulations.

Guardians of
the poor, &c.
may direct
prosecutions
in certain
cases.

Ex-officio
guardians
may act as
justices.

appearing, or refusing to be sworn or examined, shall, upon being convicted thereof before one of Her Majesty's Justices of the Peace or the Sheriff for the county or place at and within which such person shall have been by such summons required to appear and give evidence shall be situate, for every such neglect or refusal forfeit a sum not exceeding twenty pounds.

3. And be it enacted, that the Secretary of the General Board of Health may, on the order of the said board, sealed with the seal of such board, and signed by any two members thereof, prosecute any person for wilful violation or neglect of any direction or regulation issued by such board under the Nuisances Removal and Diseases Prevention Act, 1848; and all penalties sued for and recovered by such Secretary shall, notwithstanding anything contained in the last-mentioned act, be paid to him, and be applied in defraying the costs and expenses incurred by him in such prosecutions, and the balance (if any) shall be applied in such manner as the Lords Commissioners of Her Majesty's Treasury shall direct; and if the penalties so recovered shall be insufficient to defray such costs and expenses, the deficiency shall be defrayed out of any moneys which may be from time to time provided by Parliament for that purpose.

4. And be it enacted, that the guardians, directors, wardens, governors, or overseers of the poor, or parochial board, or other like officers, having the management of the poor, or acting under the authority of any local act of Parliament for the paving, cleansing, drainage, or lighting any town or parish, may from time to time direct any prosecutions or legal proceedings for or in respect of the wilful violation or neglect of any direction or regulation issued by the General Board of Health, or in Ireland Commissioners of Health, under the Nuisances Removal and Diseases Prevention Act, 1848, and may defray the expenses of such prosecutions or proceedings out of the funds in their hands applicable to the relief of the poor.

5. And be it enacted, that justices of the peace being *ex-officio* guardians of the poor may in all cases, notwithstanding their holding the office of guardian, exercise in petty session the jurisdiction vested in them as justices of the peace under the Nuisances Removal and Diseases Prevention Act, 1848.

6. And be it enacted, that guardians, directors, wardens, governors, overseers, or parochial board, or other like officers, having the management of the poor, or acting under such authority as aforesaid, upon the receipt of a certificate of any medical or relieving officer, of the union or parish for which any such guardians, directors, governors, overseers of the poor, or parochial board, or other officers, act, stating the existence of any of the cause or causes of complaint specified in the section numbered 1 and 2 in the copies of the Nuisances Removal and Diseases Prevention Act, 1848, printed by Her Majesty's printers, or in Ireland upon the receipt of a like certificate of any such medical or relieving officer, or of any two constables of the constabulary force of the district or place or of any two constables of the Dublin police within the Dublin police district, shall take all such proceedings as by the said sections respectively are required to be taken upon the receipt of a notice in writing signed by two inhabitant householders, and in the same manner (as nearly as may be) as if such notice had been given.

12 & 13 Vict.
c. 117.

Guardians of the poor, &c. may take certain proceedings upon the certificate of medical or relieving officer.

7. And whereas it is enacted by the Nuisances Removal and Diseases Prevention Act, 1848, that all costs and expenses reasonably incurred in carrying into effect certain provisions therein contained, and not recovered from any owner or occupier of the premises in respect of which such expenses shall have been incurred, shall, upon an order in writing, specifying the sum to be paid, under the hands and seals of two justices, or in Scotland under the hands of the sheriff or magistrate, or two justices, be retained, paid, or defrayed by the treasurer of the guardians of the poor, or parochial board, or by the overseers of the poor or other proper officers, out of the funds in their hands applicable to the relief of the poor; and it is expedient that such costs and expenses should be retained, paid, and defrayed in certain cases without an order of justices, sheriff, or magistrates: be it therefore enacted, that whenever any such costs and expenses shall have been or shall be reasonably incurred by any guardians, directors, wardens, governors, overseers of the poor, or parochial board, or other like officers having the management of the poor, and the same shall not have been recovered from the owner or occupier of the premises in respect of which such costs and expenses shall

Guardians of the poor, &c. may defray certain expenses without an order of justices, sheriff, or magistrates.

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c. 111.

have been incurred, such costs and expenses may, where an order shall have been made by the justices for the removal or abatement of the nuisance, or in any case where the amount shall not exceed twenty shillings, be retained, paid, and defrayed by the treasurer of such guardians, or by such directors, wardens, governors, overseers, or parochial board, or other like officers (as the case may be), out of the funds in their hands applicable to the relief of the poor, without the order of any justice or justices of the peace, anything in the said act to the contrary notwithstanding, and be charged as in the said act directed.

Guardians of unions or parochial boards may charge expenses of removing nuisances on parish, &c. where premises situated.

8. And be it enacted, that where the guardians of a union, or parochial board, shall, in the execution of any order or regulation of the Board of Health issued under the authority of the said herein-before mentioned act, expend any money in the removal or abatement of a nuisance from any private premises or land, or from any public place, they may, if they think fit, charge the same, where the expenses do not exceed twenty shillings, to the parish, or place, or electoral division in the union or combination wherein the premises shall be situated in respect whereof such expenses shall have been incurred, and where they exceed twenty shillings, and the guardians or the majority of the guardians, if more than two guardians of such parish, electoral division, or place, object in writing to the said expenses being so charged, then only upon an order in writing under the hands and seals of two justices, or in Scotland under the hands of the sheriff or magistrates, or two justices, who are hereby required to make such order, upon application on behalf of such guardians.

General board of health may cause inquiry to be made into state of burial grounds, and may direct measures of precaution.

9. And be it enacted, that it shall be lawful in England or Wales for the General Board of Health, and in Ireland for the Commissioners of Health, to cause inquiry to be made by a superintending inspector, or by such other ways and means as the General Board of Health or such commissioners may deem fit to direct, into the state of the burial grounds in any part of England or Wales excepted from the powers of the Public Health Act, 1848, or in any populous city, town, or place in England or Wales, to which for the time being the said act has not been applied, or in any populous city, town, or place in Ireland; and if it appear to the General Board of Health or the said commissioners that any such burial

ground is in such a state as to be dangerous to the health of the persons living in the neighbourhood thereof, it shall be lawful for the said General Board of Health in England and Wales, under the seal of the said Board, and under the hands of two or more members thereof, and the said Commissioners of Health in Ireland, under the hands of two or more of them, to issue such orders as the said board or commissioners respectively may think fit for the application of such disinfecting substances, and for the adoption of such other measures of precaution in relation to the premises, as may, in the opinion of the said board or commissioners of health, tend to lessen or remove the danger to health; and the churchwardens and other persons having the care and control of the burial grounds to which such orders shall relate shall do all such works and matters in relation thereto as by such orders may be directed, and all expenses incurred in the execution of such orders shall be defrayed out of the poor rates of the parish: provided always, that no such order as aforesaid shall be made after the end of the next session of Parliament.

12 & 13 Vict.
c. 111.

10. And be it enacted, that where it appears to the General Board of Health, or the Commissioners of Health in Ireland, that the churchyard or other burial ground of any parish is dangerous to health as aforesaid, and that temporary provision for interment elsewhere is urgently required, the churchwardens of such parish, with the consent of the bishop of the diocese and the approval of such General Board of Health, or Commissioners of Health in Ireland, shall, if possible, either agree with any cemetery company for the burial in the ground of such company of the bodies of persons having right of burial in the churchyard or other burial ground of such parish, or agree for the burial of such bodies in the churchyard or burial ground of any other parish of which the minister and churchwardens may consent thereto, and make all proper arrangements in relation to such burials: provided always, that where any such agreement as aforesaid shall be proposed to be made by the churchwardens of any parish, such churchwardens shall submit such proposed agreement to a meeting of the vestry, or persons having the powers of vestry, in such parish, and if the majority of persons assembled at such meeting shall disapprove such agreement the churchwardens shall not proceed therewith; and the expenses in-

Where churchyard is dangerous to health churchwardens may agree for the burial of parishioners in the ground of any cemetery company or in the burial ground of any other parish.

12 & 13 Vict.
c. 111.

General
board of
health may
direct inquiries, where
it may be
expedient to
prohibit
interment.

curred by such churchwardens in relation to such agreement, and in carrying the same into effect, shall be paid out of the poor rates of their parish; provided also, that no such agreement as aforesaid shall be made after the end of the next session of Parliament.

11. And be it enacted, that where upon any such inquiry as aforesaid it appears to the General Board of Health that the state of the burial grounds in any parish, or in any parishes which may be conveniently united for the purposes hereinafter mentioned, and the circumstances of such parish or parishes render it expedient for the protection of the public health that interments should be prohibited in such parish or parishes, except as after mentioned, and that a burial ground or burial grounds should be provided for such parish, or for the common use of such parishes, the General Board of Health may direct a superintending inspector to make inquiry, in the manner directed by the Public Health Act, 1848, or as near thereto as circumstances will permit, into all the circumstances connected with the parochial and other burial grounds of such parish or parishes, and as to the place or places in which any burial ground or burial grounds might be provided, either within or beyond the limits of such parish or parishes, and as to the means which might be provided for the conveyance of bodies for interment, and any other arrangements which might be practicable for facilitating the convenient interment of bodies in the burial ground or burial grounds to be so provided, and as to the rights in any burial ground in such parish or parishes, not being a parochial burial ground, which might be affected by the prohibition of interments in such parish or parishes, and as to the proportions in which several parishes (if more than one) should contribute to the expense of providing and maintaining a common burial ground or common burial grounds for such parishes, and into such other matters as the General Board of Health may think necessary for the purpose of enabling them to judge of the propriety of framing a scheme to be submitted to Parliament as hereinafter mentioned, and of the provisions which should be inserted therein; and such superintending inspector shall report in writing, in such manner as the General Board of Health shall direct, the result of his inquiries in relation to the premises.

12. And be it enacted, that upon the presentation of such report the General Board of Health shall cause a copy thereof to be transmitted to the Bishop of the Diocese, and copies thereof to be published in such manner as they may direct, in the parish or parishes to which such report relates, and to be deposited with the minister and with the churchwardens of such parish or each of such parishes; and the General Board of Health shall receive all such statements in relation to the matter of such report as shall be delivered within a time to be limited by the said board in this behalf, and may, where they think fit, cause further inquiry to be made in relation to the matter of such report; and if after such inquiry and report, or further inquiry as aforesaid, it appear to the said board expedient so to do, they may frame a scheme in which shall be set forth such provisions as to the said board under the circumstances of each case may appear proper for providing a burial ground or burial grounds for such parish or parishes as aforesaid, either within such parish or any of such parishes, or beyond the limits thereof, as the case may appear to require, to be in law the burial ground for the parish or for each of the parishes for the common use of which the same is or are provided, and for the maintenance and due management and control of such burial ground or burial grounds; for securing to the ministers and others having rights in respect of burials in the burial grounds in which interment is to be prohibited compensation by like rights in respect of burials in the burial ground or burial grounds proposed to be provided or otherwise, and for providing and securing rights in such burial ground or burial grounds in substitution for other rights (which in the opinion of the board may require to be compensated) in grounds in which interment is to be prohibited; for the election or appointment of persons to enter into contracts for providing such burial ground or burial grounds, and to maintain and manage the same; for facilitating the conveyance of the bodies of the dead from the place of death to such burial ground or burial grounds; for determining the proportions in which the expense of providing, maintaining, and managing such burial ground or burial grounds, where the same is or are provided for the common use of any parishes, shall be defrayed by such parishes respec-

12 & 13 Vict.
c. 111.

Upon report,
board of
health may
frame a
scheme for
providing
new burial
grounds.

12 & 13 VICT.
c. 111.

tively; for prohibiting, after such burial ground or burial grounds shall be provided, interment in such parish or parishes, except in such cases as it may appear to the said board may be specified and excepted; and generally for and concerning all matters in relation to such burial ground or burial grounds as aforesaid, and the arrangements consequent upon the prohibition of interments as aforesaid: provided always, that all provisions which shall be set forth in such scheme concerning the consecration of the burial ground or burial grounds to be provided, and concerning the burial of members of the united church of England and Ireland, and the compensation to be provided for rights in respect of burials and other rights of ministers of the said united church which may be affected by the prohibition of interment in parochial and other burial grounds, be approved by the bishop of the diocese; provided also, that such scheme, with the reports of the superintending inspectors in relation to the matters thereof, shall be presented to both houses of Parliament forthwith after the framing thereof, or, if Parliament be not then sitting, within fourteen days after the next meeting thereof.

Short title of
this act

13. And be it enacted, that in citing this act in any act of Parliament, deed, instrument, or other proceeding it shall be sufficient to use the words "The Nuisances Removal and Diseases Prevention Amendment Act, 1849."

Act may be
amended, &c.

14. And be it enacted, that this act may be amended or repealed by any act to be passed this present session of Parliament.

SCHEDULE TO WHICH THIS ACT REFERS.

Form of Summons.

WE, the General Board of Health [*or We, whose names are hereunto set, being two of the members of the Board of Health,*] do hereby summon and require you personally to appear before the General Board of Health, at _____ in the parish of _____ in the county of _____ on _____ next, the _____ day of _____ at the hour of _____ in the _____ noon of the same day, and then and there to be examined, and to testify the truth touching certain matters with respect to which the board is authorized to inquire.

Sealed with the seal of the General Board of Health [*or Given under our hands and seals, and the seal of the General Board of Health*], this _____ day of _____ in the year of our Lord one thousand eight hundred and _____.

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 37. (T.) Account of Clerk of the Court of Petty Sessions, in *Books* with Index, and also in *loose Sheets*.
 37. (T.) Account of the Keeper of Gaol or House of Correction, in *Books* with Index, and also in *loose Sheets*.
 37. *a* Special Commitment for Larceny.

FORMS UNDER THE 11 & 12 VICT. c. 42.

Indictable Offences.

38. (A.) Information and Complaint for an indictable offence.
 39. (B.) Warrant to apprehend a Person charged with an indictable offence.
 40. (C.) Summons to a Person charged with an indictable offence.
 41. (D.) Warrant where the Summons is disobeyed.
 42. (E.) See Form No. 39.
 42. *a* Instructions for Indictment.
 43. (F.) Certificate of Indictment being found.
 44. (G.) Warrant to apprehend a Person indicted.
 45. (H.) Warrant of Commitment of a Person indicted.
 46. (I.) Warrant to detain a Person indicted who is already in Custody for another offence.
 48. (L. 1.) Summons of a Witness.
 49. (L. 2.) Warrant where a Witness has not obeyed a Summons.
 50. (L. 3.) Warrant for a Witness in the first instance.
 51. (L. 4.) Warrant of Commitment of a Witness for refusing to be sworn or to give Evidence.
 52. (M.) Depositions of Witnesses.
 52. *a* Ruled Sheets to annex to same.
 53. (N.) Prisoner's Statement.
 54. (O. 1.) Recognizance to prosecute, with Condition to prosecute in Felony. Paper, 6d. per dozen; parchment, 2s. 6d. per dozen.
 54. *a* Recognizance to give Evidence, with Condition to give Evidence in Felony. Paper, 6d. per dozen; parchment, 2s. 6d. per dozen.
 55. (O. 2.) Notice of the said Recognizance to be given to the Prosecutor for Assizes in Books of 50, 1s., and 100, 1s. 6d.
 55. *a* The like for Sessions, 1s. 6d. per 100.
 55. *b* The like for appearance of Witness at Assizes, 1s. 6d. per 100.
 55. *c* The like at Sessions, 1s. 6d. per 100.
 55. *d* The like at Assizes or Sessions, 1s. 6d. per 100.
 56. (P. 1.) Commitment of Witness for refusing to enter into the Recognizance.
 57. (P. 2.) Subsequent Order to discharge the Witness.
 58. (Q. 1.) Warrant for remanding a Prisoner.
 59. (Q. 2.) Recognizance of Bail, instead of Remand, on an Adjournment of an Examination. Paper, 6d. per dozen; parchment, 2s. 6d. per dozen.
 60. (Q. 3.) Notice of such Recognizance to be given to the Accused and his Sureties, in Books of 50, 1s., and 100, 1s. 6d.
 62. (R. 1.) Warrant to convey the Accused before a Justice of the County, &c., in which the offence was committed.
 63. (R. 2.) Order for Payment of the Constable's Expenses.
 64. (S. 1.) Recognizance of Bail, with Condition in ordinary cases. Paper, 6d. per dozen; parchment, 2s. 6d. per dozen.
 Recognizance of Bail, with Condition where the Defendant is entitled to a Traverse. Paper, 6d. per dozen; parchment, 2s. 6d. per dozen.
 65. (S. 2.) Notice of the Recognizance to be given to the Accused and his Bail, in Books of 50, 1s., 6d.; and 100, 2s.
 65. *a* Magistrate's Certificate on Commitment for Trial.
 66. (S. 4.) Certificate of Consent to Bail, by the committing Justice.
 68. (S. 5.) Warrant of Deliverance, on Bail being given for a Prisoner already committed.
 69. (T. 1.) Warrant of Commitment, with Indorsement.

MAGISTRATES' LAW.

70. (T. 2.) Gaoler's Receipt to the Constable for the Prisoner, and Justice's Order thereon for Payment of the Constable's Expenses in executing the Commitment.

71 Special Commitment for Felony.

72 Minute of Allowance for Expenses on Trial.

A MINUTE BOOK for preserving the proceedings in Magistrates' Courts under the above-mentioned Acts, as recommended and used by Mr. FORT, in the *LAW TIMES*, contains Index pages, is bound and lettered with the name of the Division. It will be supplied on order only, as the name of the Division is lettered upon it. Price of the medium size, 12s.; for large or small Divisions it may be larger or less, as desired.

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Distraining for Poor-rates, (12 Vict. c. 14.)

- A. 1. Complaint of the Overseers against one Rate-payer.
- A. 2. Complaint against several Rate-payers.
- B. Summons upon the Complaint.
- C. 1. Warrant of Distress against one Rate-payer.
- C. 2. Warrant of Distress against several Rate-payers.
- D. Warrant of Commitment in Default of Distress.

Distraining for Highway-rates, (12 Vict. c. 14.)

- 1. Complaint of the Surveyors against one Rate-payer.
- 2. Complaint of the Surveyors against several Rate-payers.
- 3. Summons upon the Complaint.
- 4. Warrant of Distress against one Rate-payer.
- 5. Warrant of Distress against several Rate-payers.
- 6. Warrant of Commitment in Default of Distress.

NEW FORM.

The Form of Return of Highways Expenditure under the New Bill.

Forms under the Nuisances Removal and Diseases Prevention Act, 11 & 12 Vict. c. 123

- 1. (A.) Notice by Householdors.
 - 2. (B.) Summons to answer a complaint for Nuisance.
 - 3. (C.) Order for Removal of Nuisances, &c.
 - 4. (D.) Order to permit Execution of Works by Owners.
- Notice by a Committee of a Town Council, &c., to the Owner or Occupier of Premises complained of as being in a filthy and unwholesome condition, that they will enter into and examine the same, under sect. 1.

Complaint to a justice that certain Premises are in a filthy and unwholesome condition, in order to obtain a Summons against the Owner or Occupier, under sect. 1.

Alehouse.

- 1. Ale-house License.
- 2. Transfer of Ale-house License.

Poor Law Parish Officers' and General Forms.

By an arrangement with Mr. C. KNIGHT, all the Forms published by him as sanctioned by the Poor-Law Commissioners, are published also at the Law Times Office, and a list will be sent to any applicant.

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N.B.—The name of the editor of each statute will be given.

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THE COUNTY COURTS.

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Ledger.

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Abstract of Receipts.
Abstract of Payments.

To be kept by the Bailiffs.

FORMS REQUIRED FOR BAILIFFS.

38. Returns by High Bailiff.	96. Return of Summonses received from Foreign Districts.
39. List of Summonses served, to be returned by High Bailiff (<i>rule 46</i>).	99. High Bailiff's Letter for Service of Summonses out of District.

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4. Ledger	1 16 0	9. Petty Cash Book	0 6 0
5. Cash Book	1 1 0	10. Book Register	0 12 0

For List of Forms in Insolvency in Prisoners and Protection Cases, see pages 18, 19, and 20.

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28a. Execution against an Executor on a Devastavit	2
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35a. Order of Commitment where Defendant appears and is examined at the time of hearing	2
51. Order for Time to Plaintiff or Defendant (<i>sec. 81</i>)	4
52. Order for Apportionment of Costs (<i>sec. 88</i>)	4
53. Order of Commitment of Defendant (<i>sec. 99</i>)	2
54. Order for Reference to Arbitration (<i>sec. 77</i>)	2
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70. Instructions for Plaintiff, in vols., 5s. each, or in quires.	
71. Order for Commitment of Defendant for not answering to the satisfaction of the Judge (sec. 99)	2
79. Warrant of Commitment thereon (sec. 99)	2
72. Affidavit in Debt on Application for a Summons out of the District	2
73. Affidavit in Tort, and other Causes of Action for the like	2
75. Order for Time to Plaintiff to proceed (sec. 81)	4
76. Order for Time to Defendant (sec. 81)	4
77. Warrant of Execution in Replevin	2
80. Order for Commitment for Non-payment of Instalments	2
82. Notice by Clerk to Defendant of Plaintiff withdrawn	4
83. Order for Costs to Defendant, Plaintiff not recovering beyond the sum paid into Court	4
84. Order on Judgment for Plaintiff, with Apportionment of Costs	4
85. The like on Judgment for Defendant	4
86. Order of Commitment for Contempt	2
87. Warrant of Commitment thereon	2
88. Bond in Replevin	1
89. Bond on Removal of Action of Replevin	1
89a. Warrant to Replevy	2
90. Bond on Issuing Execution of Warrant of Replevin	1
91. Bond on New Trial being granted	1
92. Order to Set Aside an Award (sec. 77)	4
93. Order for Revocation of Reference (sec. 78)	4
94. Certificate for Suspending Execution on Payment of Debt and Costs	2
95. Clerk's Court Memorandum Slips, A. to F., price 6d. per dozen.	
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100. Certificate of Judgment, entry Order, 6d. per doz.	

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40. Particulars of Plaintiff's Set-off (rule 17)	2
41. Defendant's Notice to Clerk of Set-off (rule 17)	4
42. Defendant's Notice to Clerk of Special Defence (rule 19)	4
43. Particulars of Plaintiff's Claim on Interpleader (rule 39)	2
44. Demand of a Jury by Plaintiff or Defendant (rule 20)	4
45. Notice to Clerk of Application for a New Trial (rule 21)	2
46. Notice to the Party of Application for a New Trial (rule 21)	2
47. Notice to Clerk by Plaintiff of Acceptance of Debt or Damages in satisfaction (rule 16)	4
48. The like to Defendant (rule 16)	4
49. Notice to Clerk of Application to set aside Proceedings (rule 21)	4
50. Notice to the Party of Application to set aside Proceedings (rule 21)	4
55. Consent for an Order to Pay Debt and Costs	4
74. Notice by Plaintiff of Plaintiff withdrawn	4

Forms in Insolvency.

NOTICE

The Forms used under the Insolvent Act can be those only which are printed by Mr. HONSON, the printer to the Court. But those under the Protection Act are allowed to be published by others. An arrangement has been made with Mr. HONSON by the publisher of the *Lancet Times* by which the latter is enabled to supply Mr. HONSON's Official Forms at the same prices, together with the Protection Forms published by himself; thus enabling the Officers and Practitioners to supply themselves with entire series by one order and one parcel from the publisher of the *County Courts Chronicle*.

For List of Forms used by the OFFICERS of the County Courts, under the 1 & 2 Vict. c. 110, and 10 & 11 Vict. c. 102, see page 13.

THE COUNTY COURTS.

9. Order for Hearing, with Indorse, 6s. per 100.
46. Ditto, Adjourned Hearing, with Indorse, 6s. per 100.
23. Gaoler's Warrant to produce Prisoners, 6s. per 100.
24. Subpoena ad test., parchment, 6s. per 100.
25. Subpoena duces tecum, parchment, 10s. per 100.
26. Warrant of Attorney, 6s. per 100.
27. Order of Adjudication, Discharge Forthwith, 6s. per 100.
28. Ditto, Ditto, Sec. 76, Future period, 6s. per 100.
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30. Ditto, Sec. 77, 6s. per 100.
31. Ditto, Sec. 78, 6s. per 100.
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33. Gaoler's Warrant, Future Period, 6s. per 100.
34. Ditto, Forthwith and Future Period, 6s. per 100.
35. Ditto, Forthwith, Special for many prisoners, ruled, 10s. per 100.
36. Order for Costs to Opposing Creditors, Sec. 77, 6s. per 100.
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38. Minutes of Instructions on Costs, given at the Hearing, 3s. per 100.
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49. Gazette Advertisement of Hearing, 6s. per 100.
39. Order on Assignee, Expense of Conveying Prisoner to the Town, 6s. per 100.
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52. Commission to authorize the taking of Sureties, 6d. each.
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16. Gaoler's Warrant for ditto, 6s. per 100.
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- Order for Hearing, to serve, 6s. per 100.
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